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January 10, 2012

BY CM/ECF

The Honorable Viktor V. Pohorelsky
United States Magistrate Judge
United States District Court for
the Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Yung v. Trump*, No.: 1:11-cv-1413 (DLI) (VVP) (Our Ref.: TRMP 10/08087)

Dear Judge Pohorelsky:

As you know, we represent defendant Donald J. Trump (“Donald Trump”) in this matter. We write to respond to the letter submitted on December 23, 2011 by Plaintiff *pro se* J. Taikwok Yung in which he renews his request to depose Donald Trump because he alleges that Eric Trump was unable to answer relevant questions at his recent deposition. As Plaintiff’s request is wholly without basis and only serves to demonstrate his continued harassment of Defendant, it should be denied so that Defendant can file its proposed dispositive motion.

As an initial matter, it is worth remembering that, although Defendant has asserted counterclaims against Plaintiff, this action exists only because Plaintiff chose to file it after losing an arbitration before the World Intellectual Property Organization (“WIPO”). WIPO awarded Defendant four domain names, trumpmumbai.com, trumpbeijing.com, trumpabudabi.com and trumpindia.com, all of which were found to have been registered and used by Plaintiff in bad faith in violation of the Uniform Domain Name Dispute Resolution Policy that governs the registration of domain names. Had Plaintiff accepted this decision, there would be no lawsuit. But Plaintiff pressed on, apparently in the hope that the specter of litigation would cause Defendant either to give up his rights to the names in question or, worse, to pay Plaintiff money to go away. Plaintiff filed this action and has litigated as if he had a legitimate right to use Defendant’s TRUMP name and trademark as his own, which of course he does not. Any claims of unfair persecution here can only justly be made by Defendant, not Plaintiff.

Turning to Plaintiff’s renewed request to depose Donald Trump, the Court will recall that after being served with the original notice of deposition Donald Trump, the Chief Executive Officer of The Trump Organization, submitted an affidavit attesting that he has “no personal knowledge of the subject matter of this litigation.” Affidavit of Donald J. Trump, September 27, 2011 (“Affidavit”) (emphasis added). Because Plaintiff nonetheless continued to seek Donald Trump’s deposition, the Court held on Defendant’s motion for a protective order that Plaintiff may depose Donald Trump only if he first deposed The Trump Organization’s Executive Vice-President Eric Trump and

The Honorable Viktor V. Pohorelsky

January 10, 2012

Page 2

then demonstrated either that Eric Trump was “unable to answer relevant questions” or that Eric Trump’s “testimony disclosed that Donald Trump had personal involvement in matters relevant to the instant dispute.” *See* Minute Order, Oct. 20, 2011. Plaintiff deposed Eric Trump at the courthouse on November 18. Eric Trump appeared and gave detailed responses to Plaintiff’s questions. *See* Deposition Transcript, Nov. 18, 2011 (“Transcript”) (Exhibit A). The deposition lasted more than an hour and concluded only after Plaintiff stated that he had no further questions. *See id.* at 72:2. Nothing in Eric Trump’s testimony suggested that Donald Trump had personal involvement in relevant matters. Also, no questions likely to lead to the discovery of admissible evidence went unanswered. Therefore, the Court should not permit Plaintiff to further his ongoing campaign of harassment by deposing Donald Trump.

Taking the second option first, nowhere in Plaintiff’s letter does he suggest that Eric Trump’s testimony indicated that Donald Trump was personally involved in any matter relating to this action. Indeed, the Affidavit confirms that Donald Trump is not in a position to answer any questions about this case. *See* Affidavit. In any event, the questions Plaintiff says he would ask Donald Trump were either answered by Eric Trump¹ or are general questions regarding Donald Trump’s personal knowledge of the dispute, which he has already disavowed in the unchallenged sworn statement. *Id.*

The thrust of Plaintiff’s renewed request to depose Donald Trump, rather, is his allegation that Eric Trump did not answer relevant questions. Plaintiff is wrong. Eric Trump answered each of the six questions identified in Plaintiff’s letter as fully as a senior executive would be expected. Moreover, Plaintiff’s isolated citations do not tell the full story, as many of his queries were repetitive and the answers span several questions, not those cherry-picked by Plaintiff for his motion. *See, e.g.,* Transcript at 8:10–10:9, 29:9–30:18, 62:21–64:20 (relating to when counsel may have been instructed to send demand letter). First, Plaintiff asked why three months had passed between the parties’ initial conference and the filing of the arbitration claim; as Eric Trump testified, this was the result of a busy legal department efficiently handling its case flow. *Id.* at 60:24–61:24. Next, the four questions Plaintiff lists pertaining to when Eric Trump first learned of the at-issue domain names and when he directed legal action were answered in large part as follows: as Executive Vice-President, Eric Trump has “a team of very capable people [who] handle legal matters just like this who report to me on a weekly and monthly basis or really as needed. . . . I’m informed every step of the way.” *Id.* at 62:25–63:13. However, he explained that he could not recall precisely when he first learned of this matter because the company “deal[s] with hundreds of these issues” and they tend to “blend together.” *Id.* at 63:22, 64:10.² Lastly, while Eric Trump was unable

¹ Eric Trump answered six of the eight questions: (1) the three-month and three-year “delays,” *id.* 58:12–59:9, 60:8–61:24; (2) who instructed counsel to send a demand letter and when, *id.* at 8:10–10:9, 29:9–31:20, 62:21–64:20, 70:17–21; (3) who “bear[s] legal responsibility in this legal action,” *id.* at 32:16–33:4; (4) who first learned about the at-issue domain names and when and what responsibilities did that person possess, *id.* at 8:10–10:18; (5) who may assert legal claims on Donald Trump’s behalf, *id.* at 35:18–38:12; and (6) who initiated the legal dispute, *id.* at 8:10–10:18.

² These issues were similarly addressed in Plaintiff’s written discovery. Plaintiff submitted the following interrogatory: “Why has Donald Trump delayed over 3 years to file/sent [sic] harassment legal letters,

The Honorable Viktor V. Pohorelsky

January 10, 2012

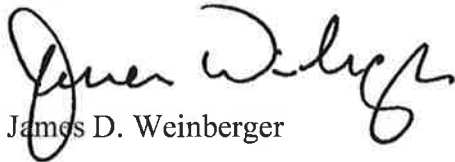
Page 3

to recall the precise date on which Plaintiff registered his domain names, this trivia is contained in Plaintiff's own documents, as well as publicly available documents. (Indeed, Plaintiff, not Eric Trump, is in the best position to know such facts.) Plaintiff may not like these answers, but that alone does not entitle him to depose Donald Trump about them.

If Plaintiff had legitimately desired detailed answers to these questions, he would have included each in his discovery requests (which he did not) rather than attempting to depose Donald Trump with irrelevant and insulting inquiries regarding, *inter alia*, Donald Trump's net worth and "feelings" towards the Chinese people. *See* Exhibit B. No plausible basis existed for deposing Donald Trump then, and, as set forth herein, none exists now. Plaintiff's renewed motion to depose him should be denied.

Finally, while the Court made plain at the December 9, 2011 conference that it was not interested in adjudicating Plaintiff's claims that Eric Trump (and now the undersigned, as well) attempted to physically intimidate Plaintiff and used racially derogatory comments at the deposition, we are compelled once again to deny these offensive and wholly untrue claims. Plaintiff's insistence on raising these allegations in a public filing after the Court rejected them is more evidence of his continued harassment and further exposes his vexatious motives in bringing this action. These motives should be checked now and discovery closed so that Defendant may go about expeditiously seeking the adjudication of this matter.

Respectfully submitted,



James D. Weinberger

Exhibits

cc: J. Taikwok Yung (by email and First Class Mail

arbitration claims and frivolous counter claims against the Plaintiff's rightful ownership of the at-issue domains?" Defendant's response after its objections was as follows:

Defendant did not become aware of Plaintiffs' infringing, TRUMP-formative domain names until shortly before sending demand letters to Plaintiffs in 2010. Since Plaintiffs refused to turn over the infringing domain names despite Defendant's requests and negotiation attempts, Defendant brought an arbitration proceeding to recover the disputed domain names as required under the Uniform Domain-Name Dispute-Resolution Policy ("UDRP") in December 2010. Although Defendant won that proceeding, Plaintiffs appealed the decision to this Court seeking a declaratory judgment on March 22, 2011. At that time, pursuant to Federal Rule of Civil Procedure 13(a), Defendant was forced to raise the instant counterclaims in the federal litigation or lose them. Accordingly, Defendant filed his counterclaims on May 6, 2011.

Defendant/Counterclaim-Plaintiff's Objections and Responses to Plaintiffs/Counterclaim-Defendants' First Set of Interrogatories and Document Requests, October 6, 2011, Response to Interrogatory No. 4.

Exhibit A

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF NEW YORK

-----X

WEB-ADVISO, J. TAIKWOK YUNG,

Plaintiff,

-against-

DONALD J. TRUMP,

Defendant.

-----X

225 Cadman Plaza East

Brooklyn, New York

November 18, 2011

1:00 p.m.

EXAMINATION BEFORE TRIAL of

ERIC F. TRUMP, a representative of the

Defendant in the above-entitled action,

taken on behalf of the Plaintiff, held at

the above time and place, and taken before

Binita Shrestha, a reporter and Notary

Public within and for the State of New York.

1 APPEARANCES:	1 E. F. TRUMP
2	2 ERIC F. TRUMP,
3 FROSS ZELNICK LEHRMAN & ZISSU, P.C.	3 the witness herein, having first been
4 Attorneys for Defendants	4 duly sworn by a Notary Public of the
5 866 UN Plaza	5 State of New York, was examined and
6 New York, New York 10017	6 testified as follows:
7 Tel: 212-813-5900	7 EXAMINATION BY
8 BY: JAMES D. WEINBERGER, ESQ.	8 MR. YUNG:
9	9 MR. YUNG: My name is J. Taikwok
10	10 Yung. I'm the pro se plaintiff in
11 J. TAIKWOK YUNG	11 this litigation, and I'll be asking
12 Pro Se Plaintiff	12 the deposition questions to Eric
13 556 Easy 88th Street	13 Trump.
14 Brooklyn, New York, 11236	14 MR. WEINBERGER: Before we
15	15 start, we wanted to make sure we're
16	16 all on the same page about the video
17 Also Present:	17 recording that you're making of the
18 Alexis L. Robinson, Esq.	18 deposition. So can we get your
19 Assistant General Counsel	19 agreement that you will be using the
20 The Trump Organization	20 video to verify the accuracy of the
21 725 Fifth Avenue	21 transcript for the purpose of the
22 New York, New York 10022	22 lawsuit, and you won't make any
23 Tel: 212-715-7255	23 external use of any video recording
24	24 you make, meaning post it on a Web
25	25 site or something like that?
[Page 2]	[Page 4]
1 IT IS HEREBY STIPULATED AND AGREED by	1 E. F. TRUMP
2 and between the attorneys for the respective	2 MR. YUNG: I can't answer you
3 parties herein that the sealing, filing and	3 that right now because you just
4 certification of the within deposition be	4 asked me right now.
5 waived; that such deposition may be signed	5 MR. WEINBERGER: Well, I'm
6 and sworn to before any officer authorized	6 asking you right now, and if you're
7 to administer an oath, with the same force	7 not willing to agree not to use it
8 and effect as if signed and sworn to before	8 for purposes of litigation, we will
9 whom said deposition was taken.	9 go see the judge before we start
10 IT IS FURTHER STIPULATED AND AGREED that	10 because I'm not going to allow you
11 all objections, except as to form, are	11 to record the deposition without an
12 reserved to the time of trial.	12 agreement that you're not going to
13 IT IS FURTHER STIPULATED AND AGREED that	13 use it for some improper purpose.
14 counsel for the witnesses appearing herein	14 MR. YUNG: Well, when you say
15 shall be furnished with a copy of the within	15 improper, what do you mean by that?
16 deposition without cost.	16 MR. WEINBERGER: Well, you've
17	17 told the judge that you needed the
18	18 video in order to verify the
19	19 accuracy of the transcript, and if
20	20 I'm characterizing this right, to
21	21 make sure that I'm not coaching the
22	22 witness, which I have no intention
23	23 to do and I will not be doing, but
24	24 Mr. Trump is a personality, he's on
25	25 television, and use could be made of
[Page 3]	[Page 5]

[2] (Pages 2 to 5)

1 E. F. TRUMP
 2 a video recording from testifying in
 3 this case for other purposes other
 4 than the lawsuit, meaning you sell
 5 it on the Web, you post it on your
 6 Web site --
 7 MR. YUNG: I can tell you I'm
 8 not selling it.
 9 MR. WEINBERGER: Can we agree
 10 that you're not going to post it on
 11 your Web site?
 12 MR. YUNG: Within my powers, I
 13 will not do it.
 14 MR. WEINBERGER: Meaning you
 15 will not do it yourself, and you
 16 will not intentionally tell someone
 17 else to do it?
 18 MR. YUNG: Yeah, within my
 19 powers.
 20 MR. WEINBERGER: Will you take
 21 steps to keep custody of the --
 22 MR. YUNG: You mentioned you
 23 want a copy of it as well?
 24 MR. WEINBERGER: Yeah, I'll need
 25 a copy, but the recording you're

[Page 6]

1 E. F. TRUMP
 2 making, the memory cards, will you
 3 keep them with you?
 4 MR. YUNG: Yeah, within my
 5 powers, I will keep it secure.
 6 MR. WEINBERGER: Are you
 7 satisfied with that?
 8 THE WITNESS: As long as it's
 9 not coming out, I'm satisfied with
 10 it. Is that what you're saying,
 11 you --
 12 MR. YUNG: Within my powers.
 13 MR. WEINBERGER: Then we're fine
 14 to proceed.
 15 MR. YUNG: We'll start.
 16 BY MR. YUNG:
 17 Q. I guess my first question is how old
 18 are you; you seem kind of young?
 19 A. I'm 27.
 20 Q. Can you answer, did your counsel
 21 coach you to prepare for this deposition?
 22 A. No.
 23 Q. Can you state your relationship with
 24 Donald Trump and Donald Trump, Jr.?
 25 A. I am the son of Donald Trump; I am

[Page 7]

1 E. F. TRUMP
 2 the brother of Donald Trump, Jr.
 3 Q. Who is older?
 4 MR. WEINBERGER: Objection to
 5 the form of the question. You can
 6 answer.
 7 THE WITNESS: Donald Trump, Jr.
 8 is older.
 9 BY MR. YUNG:
 10 Q. Do you know Alexis Robinson?
 11 A. I do.
 12 Q. For the record, who is she?
 13 A. She is an attorney with Trump.
 14 Q. Did you instruct her to send
 15 harassing legal letters to the pro se
 16 plaintiff on October 27th, 2010?
 17 MR. WEINBERGER: Objection to
 18 the form of the question.
 19 THE WITNESS: I don't know what
 20 legal letters you're referring to.
 21 BY MR. YUNG:
 22 Q. On October 27th, she sent a letter
 23 to the pro se plaintiff asking for the
 24 custody of the at-issue domain names. They
 25 were sent to sporting202@yahoo.com. Are you

[Page 8]

1 E. F. TRUMP
 2 aware of that?
 3 MR. WEINBERGER: Objection to
 4 the form of the question.
 5 THE WITNESS: I'm aware that
 6 we're seeking our domain names back,
 7 yes.
 8 BY MR. YUNG:
 9 Q. But not the specific letter
 10 instructing her to -- the letter that was
 11 sent to sporting202 asking for custody of
 12 the domain names? Were you aware of those?
 13 A. We are a very big company --
 14 Q. So you're not aware of that?
 15 A. I'm aware that her responsibility,
 16 as our attorney, is to make sure our name is
 17 protected, so she's acting on behalf --
 18 she's acting as an attorney then, you know,
 19 she's doing her job. I'm not aware of every
 20 letter that comes out of our company.
 21 Q. So do you think it was Donald Trump
 22 who instructed Alexis Robinson to send the
 23 letter?
 24 MR. WEINBERGER: Objection to
 25 the form of the question.

[Page 9]

<p>1 E. F. TRUMP</p> <p>2 THE WITNESS: No, it wasn't.</p> <p>3 BY MR. YUNG:</p> <p>4 Q. So you're aware that it wasn't</p> <p>5 Donald Trump who sent the letter?</p> <p>6 A. Alexis handles trademark</p> <p>7 infringement. She would have been the one</p> <p>8 that sent the letter. It wouldn't have been</p> <p>9 instructed by Donald Trump.</p> <p>10 Q. So what's her official role --</p> <p>11 description of her role as a lawyer in the</p> <p>12 Trump organization?</p> <p>13 A. She's in our litigation department.</p> <p>14 She does a lot of trademark and Web</p> <p>15 infringement.</p> <p>16 Q. Specifically just that?</p> <p>17 A. Not specifically, but she does a lot</p> <p>18 of that, yes.</p> <p>19 Q. Okay. Concerning the Web sites, the</p> <p>20 at-issue domains, do you know what Internet</p> <p>21 protocol the Web sites of the at-issue</p> <p>22 domain names are delivered on?</p> <p>23 A. I don't know what that means.</p> <p>24 Q. Internet protocols. Have you used a</p> <p>25 browser before?</p> <p style="text-align: right;">[Page 10]</p>	<p>1 E. F. TRUMP</p> <p>2 A. I do not.</p> <p>3 MR. WEINBERGER: Sorry, just</p> <p>4 give me a chance to object.</p> <p>5 I think you need to tell him</p> <p>6 what Web sites you're talking about.</p> <p>7 MR. YUNG: The at-issue domain</p> <p>8 names that we're discussing is</p> <p>9 TrumpBeijing.com, TrumpIndia.com,</p> <p>10 TrumpMumbiai.com, and</p> <p>11 TrumpAbuDhabi.com. So before I ask</p> <p>12 the question, you're aware of the</p> <p>13 at-issue domain names?</p> <p>14 THE WITNESS: Yes.</p> <p>15 BY MR. YUNG:</p> <p>16 Q. So are you able to answer that</p> <p>17 question that I just asked previously?</p> <p>18 A. Can you re-ask the question?</p> <p>19 MR. WEINBERGER: The reporter</p> <p>20 can read it back unless you would</p> <p>21 like a different question.</p> <p>22 (Whereupon, the referred</p> <p>23 question was read back by the</p> <p>24 Reporter.)</p> <p>25 THE WITNESS: I don't. I'm not</p> <p style="text-align: right;">[Page 12]</p>
<p>1 E. F. TRUMP</p> <p>2 A. Yes, I have.</p> <p>3 Q. Are you aware of the protocols this</p> <p>4 is delivered in?</p> <p>5 A. I'm not aware of protocols, no.</p> <p>6 MR. WEINBERGER: Can we just --</p> <p>7 one second. I think it's probably</p> <p>8 best if everybody slows down. I'm</p> <p>9 not sure the reporter is getting the</p> <p>10 full testimony, so let's just -- I</p> <p>11 want to make sure she's able to</p> <p>12 record.</p> <p>13 BY MR. YUNG:</p> <p>14 Q. Okay. So you're saying you don't</p> <p>15 know?</p> <p>16 A. I don't know what you're referring</p> <p>17 to when you say an Internet protocol.</p> <p>18 Q. Internet protocol is the way you</p> <p>19 transfer information through the Internet</p> <p>20 and interpreted by the browser.</p> <p>21 MR. WEINBERGER: Objection.</p> <p>22 It's not a question.</p> <p>23 BY MR. YUNG:</p> <p>24 Q. Do you know what Internet service</p> <p>25 language the Web sites are built on?</p> <p style="text-align: right;">[Page 11]</p>	<p>1 E. F. TRUMP</p> <p>2 a tech guru. I don't even know what</p> <p>3 that means.</p> <p>4 BY MR. YUNG:</p> <p>5 Q. Do you know what content management</p> <p>6 system, CMS, are the Web sites running on?</p> <p>7 A. I do not.</p> <p>8 Q. Do you know how many parody articles</p> <p>9 are there on the Web site, P-A-R-O-D-Y?</p> <p>10 MR. WEINBERGER: Objection to</p> <p>11 the form.</p> <p>12 BY MR. YUNG:</p> <p>13 Q. Do you know if the Web sites can be</p> <p>14 viewed on a mobile device, like smartphone?</p> <p>15 A. The four Web sites in question?</p> <p>16 Q. Yes.</p> <p>17 A. I do not.</p> <p>18 Q. So let me ask you, how well do you</p> <p>19 know the current legal dispute?</p> <p>20 A. I understand the legal dispute.</p> <p>21 Q. From one to ten, like where you</p> <p>22 stand knowing actually the truth of the</p> <p>23 matter?</p> <p>24 MR. WEINBERGER: Objection to</p> <p>25 the form.</p> <p style="text-align: right;">[Page 13]</p>

[4] (Pages 10 to 13)

<p>1 E. F. TRUMP 2 THE WITNESS: You know, 3 unfortunately as a company like 4 ours, we're forced to fight disputes 5 like this all the time, people 6 trying to capitalize on our name, 7 make money off of us, infringe on 8 something that, you know, the 9 company that we've grown, a name 10 that we've grown over many years, so 11 I understand the merits of this 12 case. We see this type of case all 13 the time. It's unfortunate -- 14 BY MR. YUNG: 15 Q. Do you rate yourself a ten on ten 16 or -- 17 MR. WEINBERGER: Hold on a 18 second. You've got to let him 19 answer the question. 20 THE WITNESS: I'm answering the 21 question. I understand the merits 22 of the case. Somebody is trying to 23 infringe on trademarks that we have, 24 and obviously as a company like 25 ours, we have to fight that.</p> <p style="text-align: right;">[Page 14]</p>	<p>1 E. F. TRUMP 2 In India, using your example, we 3 have a relationship in India with also 4 another major developer. In Mumbai we have 5 a very nice project. We're going to go in 6 there in a very major way. We've looked 7 into many other projects in Bangalore. 8 We've looked at many other projects in 9 Beijing, in China, and we're looking into 10 China in a very large way. We have many 11 other business interests there, everything 12 from expanding our Golf Enterprise to 13 different commercial ventures to Miss 14 Universe that we own to a series of books 15 that were published in Chinese to projects 16 that we've sold in China before and sold 17 very successfully in China to projects that 18 we have in Seoul, Korea to the Miss Universe 19 Pageant, which is worldwide and is televised 20 throughout the world. 21 I could really go on and on. We 22 have major business interests all over the 23 world. The Apprentice, one of the top shows 24 anywhere in the world, has been publicized 25 in literally dozens, and dozens, and dozens</p> <p style="text-align: right;">[Page 16]</p>
<p>1 E. F. TRUMP 2 BY MR. YUNG: 3 Q. Let me ask you, what plans do you 4 have, your party, for the at-issue domain 5 names; what plans do you have for the domain 6 names? 7 A. We're a major international 8 developer; we are a major domestic 9 developer. We have business interests all 10 over the world, and I can go through some of 11 them. 12 Q. No, specifically dealing with the 13 at-issue domain names. 14 A. Sure, let me get there. We've made 15 moves into many countries. Let me give you 16 an example. Abu Dhabi, we spent quite a bit 17 of time in the UAE. We've talked to many 18 different companies about doing very, very, 19 very major deals there. Also, in the UAE in 20 Dubai, we are partnered with Nikeel, 21 [phonetic] who is probably the largest 22 company in the UAE, in order to make a very 23 major license agreement with them for a very 24 well-publicized building that has launched, 25 being in itself a very, very big project.</p> <p style="text-align: right;">[Page 15]</p>	<p>1 E. F. TRUMP 2 of different languages for years, and years, 3 and years. I believe we're the second 4 longest running reality TV show in existence 5 right after Survivor. We have incredible 6 ratings. We're going on our 12th season, 7 which coincidentally we finished filming 8 yesterday. 9 We have worldwide appeal as a 10 company. People know who we are overseas. 11 They understand my father was running for 12 the president of the United States. He's a 13 very, very public person. We are a very 14 public family. That's our interest in these 15 Web sites. 16 Q. Okay. So it partially deals with 17 plans of real estate projects; is that 18 accurate? 19 A. Yes, we use Web sites exactly like 20 the ones you registered to -- as our domain 21 names for projects all over the world, and I 22 can give you many examples of them, but 23 Trump Las Vegas is a great example, Trump 24 Chicago is a great example, Trump National 25 Golf Course is an example, Trump Scotland is</p> <p style="text-align: right;">[Page 17]</p>

[5] (Pages 14 to 17)

<p>1 E. F. TRUMP</p> <p>2 an example, Trump Hawaii, Trump Waikiki is</p> <p>3 an example, Trump National Golf Course, L.A.</p> <p>4 is an example, Trump.com is an example.</p> <p>5 Right now I believe we have over 800</p> <p>6 registered trademarks and several thousand</p> <p>7 Web domain names that are ours, and we</p> <p>8 register those specifically to prevent</p> <p>9 people from trying to capitalize on a</p> <p>10 business that we've grown and we've grown</p> <p>11 very successfully, and that's developed into</p> <p>12 a major corporation and a major brand.</p> <p>13 Q. Okay. Since the at-issue domain</p> <p>14 names have geographical names in it, like</p> <p>15 India, Mumbai, Beijing, and Abu Dhabi, can</p> <p>16 you tell me if currently if you, Donald</p> <p>17 Trump, or the Trump Organization own any</p> <p>18 significant municipal land in those areas?</p> <p>19 A. We have partnerships in those areas.</p> <p>20 Q. But you don't own any municipal</p> <p>21 lands?</p> <p>22 A. We don't own any municipal lands,</p> <p>23 no, but we are entering those areas in a</p> <p>24 very large way with very large projects.</p> <p>25 Q. They are projects dealing with</p> <p style="text-align: right;">[Page 18]</p>	<p>1 E. F. TRUMP</p> <p>2 THE WITNESS: I don't think</p> <p>3 that's correct at all.</p> <p>4 BY MR. YUNG:</p> <p>5 Q. Can you elaborate why?</p> <p>6 A. We own trademarks in these</p> <p>7 countries. We've owned trademarks in these</p> <p>8 countries for many, many years --</p> <p>9 Q. Yeah, for the world --</p> <p>10 MR. WEINBERGER: Let him answer</p> <p>11 his question. You can't speak over</p> <p>12 each other. She can't get that</p> <p>13 down.</p> <p>14 THE WITNESS: -- and we use</p> <p>15 countries and places, given we're an</p> <p>16 international brand, its</p> <p>17 geographical locator to the project</p> <p>18 at hand. For instance, Trump</p> <p>19 Mumbai, we have a project in Mumbai.</p> <p>20 We are actively underway in</p> <p>21 developing something in Mumbai.</p> <p>22 Therefore, we use Trump, our name,</p> <p>23 and Mumbai, the locator, as a Web</p> <p>24 domain for the project, which is the</p> <p>25 exact reason we register Trump in</p> <p style="text-align: right;">[Page 20]</p>
<p>1 E. F. TRUMP</p> <p>2 building towers, buildings, right?</p> <p>3 A. Yes.</p> <p>4 Q. Not developing like parks, or</p> <p>5 developing wide areas of real estate, or</p> <p>6 municipal real estate like that, right?</p> <p>7 MR. WEINBERGER: Objection to</p> <p>8 form.</p> <p>9 THE WITNESS: Our projects are</p> <p>10 very large. They oftentimes have</p> <p>11 other components aside from just</p> <p>12 residential or hotel components,</p> <p>13 commercial components to them. Many</p> <p>14 of those components, depending on</p> <p>15 the project, could be involved in</p> <p>16 the overall master plan, but</p> <p>17 generally they are high-rise</p> <p>18 buildings.</p> <p>19 BY MR. YUNG:</p> <p>20 Q. So the more accurate description for</p> <p>21 these could be like Trump Tower, like that,</p> <p>22 or Trump Hotel, like that, would be a better</p> <p>23 description of the projects, right?</p> <p>24 MR. WEINBERGER: Objection to</p> <p>25 form.</p> <p style="text-align: right;">[Page 19]</p>	<p>1 E. F. TRUMP</p> <p>2 India. It's the reason we register</p> <p>3 Trump Mumbai as a trademark. It's</p> <p>4 the reason we go through this</p> <p>5 process as an international company.</p> <p>6 BY MR. YUNG:</p> <p>7 Q. Are you aware that the word is a</p> <p>8 generic English word trump. It has an entry</p> <p>9 that predates the birth of Donald Trump, the</p> <p>10 founding of the Trump Organization. The</p> <p>11 entry I'm mentioning is in Oxford English</p> <p>12 dictionary and Merriam Webster dictionary</p> <p>13 for the generic English word trump; are you</p> <p>14 aware of that?</p> <p>15 MR. WEINBERGER: Objection to</p> <p>16 the form of the question. It's</p> <p>17 compound, and I just want to note</p> <p>18 for the record that Mr. Trump is not</p> <p>19 a lawyer, and "generic" has a legal</p> <p>20 meaning, and so I assume you're</p> <p>21 asking him the common meaning of the</p> <p>22 word generic, not in its legally</p> <p>23 operative term, which if you're</p> <p>24 going to try and ask about that, I</p> <p>25 suggest you establish foundation</p> <p style="text-align: right;">[Page 21]</p>

[6] (Pages 18 to 21)

<p>1 E. F. TRUMP</p> <p>2 that he has knowledge.</p> <p>3 MR. YUNG: Okay, but for right</p> <p>4 now, can you answer that; are you</p> <p>5 aware of that?</p> <p>6 THE WITNESS: Trump is a word in</p> <p>7 the English language. Gap is a word</p> <p>8 in the English language, but yet</p> <p>9 that is also trademarked all around</p> <p>10 the country and all around the</p> <p>11 world.</p> <p>12 BY MR. YUNG:</p> <p>13 Q. Well, they have a right to that</p> <p>14 because it's the design of the word and a</p> <p>15 mark. I guess you have a point there, but</p> <p>16 you're aware that trump is an English word?</p> <p>17 A. I said yes.</p> <p>18 Q. Okay. Can you tell me, will you be</p> <p>19 compensated more than usual if you're</p> <p>20 successful in acquiring the at issue domain</p> <p>21 names?</p> <p>22 MR. WEINBERGER: Objection.</p> <p>23 THE WITNESS: I don't need to</p> <p>24 talk about my compensation</p> <p>25 structure.</p> <p style="text-align: right;">[Page 22]</p>	<p>1 E. F. TRUMP</p> <p>2 BY MR. YUNG:</p> <p>3 Q. Can you describe your job</p> <p>4 description and role in the Trump</p> <p>5 Organization?</p> <p>6 A. I'm executive vice president of</p> <p>7 development and acquisitions. I handle many</p> <p>8 of our projects across the board. My job</p> <p>9 differs very much from day to day. One day</p> <p>10 it could be building a building, the next</p> <p>11 day it could be buying a golf course. It</p> <p>12 very much depends on the day.</p> <p>13 Q. So your role is changing all the</p> <p>14 time; it has no definitive description?</p> <p>15 A. Other than being an executive in the</p> <p>16 firm, being responsible for development, new</p> <p>17 acquisitions, projects underway, and</p> <p>18 generally safeguarding the Trump name, the</p> <p>19 Trump brand, our interest around the world,</p> <p>20 that's my job.</p> <p>21 Q. So how does it encompass this legal</p> <p>22 litigation; how come your role -- I don't</p> <p>23 understand how your description of your role</p> <p>24 encompasses your handling of this legal</p> <p>25 case?</p> <p style="text-align: right;">[Page 24]</p>
<p>1 E. F. TRUMP</p> <p>2 BY MR. YUNG:</p> <p>3 Q. Do you have a preference of which of</p> <p>4 the four domain names have a higher priority</p> <p>5 in trying to acquire?</p> <p>6 MR. WEINBERGER: Objection.</p> <p>7 THE WITNESS: They have no</p> <p>8 priority for us.</p> <p>9 BY MR. YUNG:</p> <p>10 Q. Just all four have the same</p> <p>11 priority?</p> <p>12 A. These are major markets in the</p> <p>13 world, which we have actively been</p> <p>14 exploring, which we own the intellectual</p> <p>15 property to in those various areas, and as</p> <p>16 far as I'm concerned, they belong to us.</p> <p>17 Q. So I'm asking, do you have a</p> <p>18 priority on which one?</p> <p>19 MR. WEINBERGER: Asked and</p> <p>20 answered.</p> <p>21 MR. YUNG: Huh?</p> <p>22 MR. WEINBERGER: He's been asked</p> <p>23 that question, and he's answered it</p> <p>24 already. She can read it back to</p> <p>25 you.</p> <p style="text-align: right;">[Page 23]</p>	<p>1 E. F. TRUMP</p> <p>2 A. I think I just said part of my job</p> <p>3 is to safeguard the Trump name around the</p> <p>4 world. Part of that is to keep people from</p> <p>5 trying to infringe on our name that we've so</p> <p>6 successfully built, which I think is the</p> <p>7 reason why we're here today.</p> <p>8 Q. Okay. I would like to show you</p> <p>9 something that I found on the Internet.</p> <p>10 This was submitted as an exhibit. It's from</p> <p>11 Wikipedia. Can you read --</p> <p>12 MR. WEINBERGER: Hold on a</p> <p>13 second. You have to mark the</p> <p>14 exhibit with the court reporter, and</p> <p>15 since we have a verbal record, and</p> <p>16 since the exhibit will be made part</p> <p>17 of the deposition transcript, it</p> <p>18 would be very helpful if we could</p> <p>19 refer to it as Exhibit 1, which is</p> <p>20 what she's just tagged it as. That</p> <p>21 way we know what we're talking about</p> <p>22 when we're reading the transcript.</p> <p>23 MR. YUNG: Okay.</p> <p>24 (Whereupon, the aforementioned</p> <p>25 document was marked as</p> <p style="text-align: right;">[Page 25]</p>

[7] (Pages 22 to 25)

1 E. F. TRUMP
 2 Plaintiff's Exhibit 1 for
 3 identification as of this date.)
 4 BY MR. YUNG:
 5 Q. For the record, can you read the
 6 circled part that goes into the next page?
 7 A. "As executive vice president of
 8 development and acquisitions, Trump is
 9 actively involved in all aspects of real
 10 estate development, both nationally and
 11 internationally. From acquisition and
 12 development to sales and marketing
 13 functions, he plays a pivotal role in more
 14 than 70 active real estate Trump projects
 15 around the world."
 16 "Most recently, Trump" -- and by the
 17 way, let me just interject, they are
 18 referring to me here -- "oversaw the
 19 acquisition of the Kluge, K-L-U-G-E, Winery
 20 and Vineyard in Charlottesville, Virginia,
 21 resulting in the development of Eric Trump
 22 Wine Manufacturing, LLC."
 23 "Alongside his father, Trump is also
 24 responsible for the expansion of the Trump
 25 National Golf Club portfolio of properties
 [Page 26]

1 E. F. TRUMP
 2 and is involved in all construction, design,
 3 membership, marketing, and daily operations
 4 to ensure Trump's brand standards are met.
 5 Currently, Trump directly oversees Trump
 6 Golf properties in New York, New Jersey,
 7 Pennsylvania, Florida, and California."
 8 "Trump is a prominent fixture in
 9 business and has appeared as a speaker in
 10 international business and real estate
 11 conferences, as well as media outlets such
 12 as NBC, CNBC, FOX, FOX Business, and the New
 13 York Post to analyze or comment on economic
 14 and development matters affecting the global
 15 economy.
 16 Trump is also a task advisor and
 17 boardroom judge on The Apprentice and The
 18 Celebrity Apprentice and was prominently
 19 featured this season on Donald J. Trumps'
 20 Fabulous World of Golf, which documents the
 21 "behind-the-scenes" workings of the Trump
 22 Organization and Trump Golf."
 23 Q. Okay. So that describes pretty
 24 accurate your job description?
 25 A. Incredibly accurate, yes. I think I
 [Page 27]

1 E. F. TRUMP
 2 wrote that.
 3 Q. So I guess what's -- where does this
 4 job description deal with domain names,
 5 handling domain names?
 6 A. There are two sides of a business:
 7 There is the side that you put on Wikipedia,
 8 and there is a corporate oversight side,
 9 which is dealing with litigation, dealing
 10 with trademark infringement, dealing with
 11 H.R. matters, dealing with corporate
 12 compensation. There's probably a thousand
 13 things that I do as part of my job that's
 14 not here. Retail sales, I do a lot of that,
 15 actual condo sales, condo hotel. I mean, I
 16 could really go on and on.
 17 You know, construction activities,
 18 compensation for employees, bonuses. None
 19 of that is featured on Wikipedia for obvious
 20 reasons. It's, first and foremost, dry.
 21 People don't want to hear about it, and
 22 people, I think, assume that if you're an
 23 executive at a company, that's part of your
 24 daily job responsibilities and job
 25 functions.
 [Page 28]

1 E. F. TRUMP
 2 Q. So when a new task comes up that's
 3 not in your description, you can basically
 4 change your description to encompass that to
 5 handle that situation?
 6 MR. WEINBERGER: Objection.
 7 THE WITNESS: Absolutely.
 8 BY MR. YUNG:
 9 Q. So for this litigation handling by
 10 you, have you changed your job description
 11 to just suit yourself to handle the
 12 situation?
 13 A. Not at all. Trademark infringement
 14 and trademark matters are something I
 15 handled since day one since I came into this
 16 company, and I work very closely with Alexis
 17 on a daily basis handling matters very much
 18 like this one.
 19 Q. Can you mention a previous situation
 20 with you were handling a domain name
 21 situation?
 22 A. I can't --
 23 MR. WEINBERGER: Before you
 24 answer the question, the witness can
 25 identify specific disputes in a
 [Page 29]

<p>1 E. F. TRUMP</p> <p>2 brief summary, but I caution him not</p> <p>3 to reveal the substance of an</p> <p>4 attorney-client communication, and I</p> <p>5 instruct him not to answer to the</p> <p>6 extent answering this question</p> <p>7 requires him to reveal the substance</p> <p>8 of an attorney-client communication.</p> <p>9 But if you can name the name of a</p> <p>10 domain name you went after or a</p> <p>11 trademark infringement matter at</p> <p>12 that level, that's fine.</p> <p>13 MR. YUNG: Yeah, that's what I'm</p> <p>14 asking.</p> <p>15 BY MR. YUNG:</p> <p>16 Q. Can you mention a previous domain</p> <p>17 name that you were involved in?</p> <p>18 A. There's been many domain names, and</p> <p>19 quite frankly, there's been many trademarks</p> <p>20 that we've gone after over the years, and</p> <p>21 many which have been very successful.</p> <p>22 Again, I prefer not to mention which ones.</p> <p>23 A lot of them were won. Fortunately, we</p> <p>24 have a very good track record of winning</p> <p>25 these because we are a very prominent brand.</p> <p style="text-align: right;">[Page 30]</p>	<p>1 E. F. TRUMP</p> <p>2 A. It's a private company.</p> <p>3 Q. It's always been a private company?</p> <p>4 A. It's always been a private company.</p> <p>5 Q. I see. For the sake of clarity, can</p> <p>6 you tell me if it's the individual, Donald</p> <p>7 Trump, or you, or the Trump Organization</p> <p>8 that is trying to acquire the at-issue</p> <p>9 domain names?</p> <p>10 MR. WEINBERGER: Objection to</p> <p>11 the form of the question.</p> <p>12 THE WITNESS: Is the company as</p> <p>13 a whole that's acquiring these</p> <p>14 domain names?</p> <p>15 BY MR. YUNG:</p> <p>16 Q. The caption says the individual,</p> <p>17 Donald Trump, but what I'm trying to clarify</p> <p>18 is, is it Donald Trump that's trying to</p> <p>19 acquire the at-issue domain names, or you,</p> <p>20 or the Trump Organization?</p> <p>21 A. It is the company that's trying to</p> <p>22 acquire these domain names. We are a</p> <p>23 company that would benefit from the domain</p> <p>24 names. We are a company that owns these</p> <p>25 domain names. We are a company that's</p> <p style="text-align: right;">[Page 32]</p>
<p>1 E. F. TRUMP</p> <p>2 In fact, I'm not sure if we've lost. People</p> <p>3 recognize us as a worldwide brand, and a</p> <p>4 major personality, and a major developer,</p> <p>5 and a very large company, which is why we do</p> <p>6 well. But unfortunately, this is standard</p> <p>7 course of daily business for us, fighting</p> <p>8 exactly these, so...</p> <p>9 Again, I don't know which ones are</p> <p>10 subject to settlements. I don't know which</p> <p>11 ones are subject to confidentiality. I</p> <p>12 prefer not to mention them by name, but I</p> <p>13 can tell you we have fought hundreds of</p> <p>14 these. We have won hundreds of these. And</p> <p>15 unfortunately, I think we'll continue to</p> <p>16 have to fight these, certainly as long as</p> <p>17 I'm around.</p> <p>18 Q. Okay. So you're saying that you</p> <p>19 have handled domain name situations before?</p> <p>20 A. Dozens.</p> <p>21 MR. WEINBERGER: Objection.</p> <p>22 BY MR. YUNG:</p> <p>23 Q. Is the Trump Organization, the</p> <p>24 company that you and your father work for, a</p> <p>25 public or a private company?</p> <p style="text-align: right;">[Page 31]</p>	<p>1 E. F. TRUMP</p> <p>2 already won, in the WIPO filing, these</p> <p>3 domain names. It is the company that's</p> <p>4 trying to acquire these domain names.</p> <p>5 Q. I would like to show you something,</p> <p>6 Exhibit 2, I guess.</p> <p>7 (Whereupon, the aforementioned</p> <p>8 document was marked as</p> <p>9 Plaintiff's Exhibit 2 for</p> <p>10 identification as of this date.)</p> <p>11 BY MR. YUNG:</p> <p>12 Q. For the description of what you</p> <p>13 see --</p> <p>14 MR. WEINBERGER: Hold on one</p> <p>15 second. Let me look at the exhibit</p> <p>16 before --</p> <p>17 MR. YUNG: For the description,</p> <p>18 it's an e-mail sent --</p> <p>19 MR. WEINBERGER: Can you let him</p> <p>20 look at it before you ask your</p> <p>21 question? And I would like to note</p> <p>22 that both this exhibit, Exhibit 2,</p> <p>23 and the prior Exhibit 1, there is</p> <p>24 handwriting on the agreement, which,</p> <p>25 I believe, is the plaintiff pro</p> <p style="text-align: right;">[Page 33]</p>

1	E. F. TRUMP	1	E. F. TRUMP
2	se's, but I don't know --	2	the form of the question.
3	MR. YUNG: It's just a circle to	3	THE WITNESS: This e-mail could
4	direct him to read it.	4	have just as easily said Eric Trump,
5	MR. WEINBERGER: I understand,	5	or it could have just as easily said
6	but it's your circle, right?	6	the Trump Organization. It could
7	MR. YUNG: Yeah.	7	have just as easily had one of our
8	MR. WEINBERGER: Just for	8	entities in there. At the end of
9	clarity.	9	the day, we are one organization, we
10	BY MR. YUNG:	10	are a family company. Having Donald
11	Q. For description's sake, it's a	11	J. Trump in here, or the Trump
12	letter sent to sporting202@yahoo.com by	12	Organization, or Eric Trump, for
13	Alexis Robinson. Can you read the --	13	that matter, wouldn't have changed
14	MR. WEINBERGER: Objection.	14	the substance of this e-mail one
15	That's not what this is.	15	bit.
16	MR. YUNG: Can I see that?	16	BY MR. YUNG:
17	Right, I'm sorry, correction, by	17	Q. So you can easily say Eric Trump and
18	Todd Martin, a lawyer from your law	18	somebody, be it your lawyers or your
19	firm.	19	employees, will be using your father's name
20	BY MR. YUNG:	20	or your name freely in litigations; is that
21	Q. This is an e-mail sent to	21	what you're describing?
22	sporting202@yahoo.com. Can you read the	22	MR. WEINBERGER: Objection.
23	encircled?	23	THE WITNESS: The complaint
24	A. "Enclosed please find an electronic	24	could have very well come from me,
25	copy of a complaint by Donald J. Trump	25	it could have come from the Trump
	[Page 34]		[Page 36]
1	E. F. TRUMP	1	E. F. TRUMP
2	pursuant to ICANN's domain name dispute	2	Organization, or it could have come
3	resolution policy, the modified rules, and	3	from my father. Again, we're a
4	WIPO's new supplemental rules concerning the	4	family company. It's really coming
5	domain names, TrumpIndia.com,	5	from --
6	TrumpMumbai.com, TrumpBeijing.com, and	6	BY MR. YUNG:
7	TrumpAbuDhabi.com."	7	Q. So employees can freely use your
8	Q. At this point when the e-mail was	8	father's name, the Trump Organization's
9	sent, were you aware of what was going on?	9	name, and your name in legal letters and so
10	MR. WEINBERGER: Objection,	10	forth like that?
11	foundation.	11	A. Depending on who they are
12	THE WITNESS: I don't see the	12	representing, absolutely, because it's
13	date on this e-mail. December 17th?	13	really one and the same.
14	BY MR. YUNG:	14	Q. Were you aware if any permission was
15	Q. Right.	15	granted by Donald J. Trump to use his name
16	A. I don't recall. I would assume so,	16	in this arbitration claim?
17	but I don't recall.	17	MR. WEINBERGER: Objection.
18	Q. Okay. My question -- I guess you	18	BY MR. YUNG:
19	can't answer the question, but I'm still	19	Q. Well, I'm asking was permission
20	going to ask it any way. Why did the e-mail	20	given by Donald J. Trump to use his name in
21	state the individual, Donald J. Trump, and	21	the caption of the arbitration claim and in
22	not the Trump Organization, as you mentioned	22	this e-mail?
23	previously, that's trying to acquire the	23	A. Alexis and Todd from outside
24	at-issue domain names?	24	counsel, they are either employees of ours
25	MR. WEINBERGER: Objection to	25	or they are law firms that we retain to
	[Page 35]		[Page 37]

[10] (Pages 34 to 37)

<p>1 E. F. TRUMP</p> <p>2 enforce, and if not to enforce, but to work</p> <p>3 for us in resolving matters like this. They</p> <p>4 could use my name in doing so. They could</p> <p>5 use my father's name in doing so. They work</p> <p>6 for our corporate entity, and yes, they have</p> <p>7 full permission to use my father's name,</p> <p>8 they have full permission to use my name,</p> <p>9 and they have full permission to use the</p> <p>10 Trump Organization if they wanted to in,</p> <p>11 again, protecting us in legal matters such</p> <p>12 as the one we're talking about right now.</p> <p>13 Q. I see, okay. Were you aware of</p> <p>14 Donald Trump, Jr. visiting India?</p> <p>15 MR. WEINBERGER: Objection, time</p> <p>16 frame.</p> <p>17 BY MR. YUNG:</p> <p>18 Q. Were you aware of his trip --</p> <p>19 because in your arbitration claim, you --</p> <p>20 the arbitration claim describes that because</p> <p>21 of him visiting India, making plans and so</p> <p>22 forth, Donald Trump should have rights to</p> <p>23 the at-issue domain names, so I'm asking,</p> <p>24 are you aware of Donald Trump, Jr.'s visit</p> <p>25 to India?</p> <p style="text-align: right;">[Page 38]</p>	<p>1 E. F. TRUMP</p> <p>2 as to the legally operative when</p> <p>3 rights acquired, okay?</p> <p>4 BY MR. YUNG:</p> <p>5 Q. Are you going to attempt to answer</p> <p>6 the question?</p> <p>7 A. Sure. I think you're grossly</p> <p>8 simplifying it by saying one visit entitles</p> <p>9 us to rights. What entitles us to rights is</p> <p>10 years and years of intellectual property</p> <p>11 filings, Web sites that we have, business</p> <p>12 ventures that we're done in these countries,</p> <p>13 business ventures that we're currently doing</p> <p>14 in these countries, registered trademarks</p> <p>15 that we own in these various places, and so</p> <p>16 on and so forth.</p> <p>17 It's not one holiday trip to India</p> <p>18 that necessarily entitles you. It's a host</p> <p>19 of many, many other things. We've taken</p> <p>20 many trips to India. We've spent</p> <p>21 substantial amount of time in India. We are</p> <p>22 actively engaged in many business ventures</p> <p>23 there. That's what entitles us to these</p> <p>24 rights.</p> <p>25 BY MR. YUNG:</p> <p style="text-align: right;">[Page 40]</p>
<p>1 E. F. TRUMP</p> <p>2 A. Yes.</p> <p>3 Q. What days were those?</p> <p>4 A. I would not know off the top of my</p> <p>5 head.</p> <p>6 Q. Okay.</p> <p>7 A. I will say that we've spent</p> <p>8 substantial amount of time in India.</p> <p>9 Q. I'm just going to ask you why a</p> <p>10 visit to India would give your party the</p> <p>11 rights to the at-issue domain names; just</p> <p>12 visiting India, you have rights to all four</p> <p>13 at-issue domain names?</p> <p>14 MR. WEINBERGER: I wanted to</p> <p>15 object. Mr. Trump, if you would ask</p> <p>16 him, I'm sure would happily testify</p> <p>17 that he's not an attorney. And to</p> <p>18 the extent you're asking him a legal</p> <p>19 question with a legal operation; the</p> <p>20 term "rights" has a legal operation.</p> <p>21 If you want to ask him his</p> <p>22 understanding as a witness and as a</p> <p>23 businessman, that's fine. But I</p> <p>24 just want to be clear that he's not</p> <p>25 an attorney, and he's not speaking</p> <p style="text-align: right;">[Page 39]</p>	<p>1 E. F. TRUMP</p> <p>2 Q. Okay. I'm going you to ask you, are</p> <p>3 you aware or cognizant of the popularity of</p> <p>4 the Web sites that's on the at-issue domain</p> <p>5 names?</p> <p>6 MR. YUNG: For the sake of</p> <p>7 clarity, this is a technical</p> <p>8 interruption with the memory card of</p> <p>9 the video, so I have switched the</p> <p>10 video card.</p> <p>11 BY MR. YUNG:</p> <p>12 Q. So to continue, do you still</p> <p>13 remember the question I asked or do you not?</p> <p>14 To repeat, are you aware of or cognizant of</p> <p>15 the popularity of the Web sites that's on</p> <p>16 the at-issue domains?</p> <p>17 MR. WEINBERGER: Objection,</p> <p>18 foundation.</p> <p>19 THE WITNESS: I don't,</p> <p>20 unfortunately, know what that means.</p> <p>21 BY MR. YUNG:</p> <p>22 Q. The popularity, like people visiting</p> <p>23 the Web sites a lot.</p> <p>24 MR. WEINBERGER: Same objection.</p> <p>25 You haven't established that he's</p> <p style="text-align: right;">[Page 41]</p>

1 E. F. TRUMP	1 E. F. TRUMP
2 seen the Web sites.	2 understanding of parody is.
3 BY MR. YUNG:	3 A. Parity is fairness, it's connection.
4 Q. Have you seen the Web sites yet?	4 MR. WEINBERGER: I'm sorry, I
5 A. I have seen one of them.	5 think we have a linguistic
6 Q. Which one?	6 disconnect. I think he's asking
7 A. I believe it's TrumpIndia.com.	7 parody, P-A-R-O-D-Y, not parity,
8 Q. I see. Can you describe what you	8 like there's parity in baseball, the
9 saw?	9 other parody.
10 A. I saw a Web site that was	10 THE WITNESS: What's
11 capitalizing on the Trump name.	11 P-A-R-O-T-Y?
12 Q. I'm asking about the content, not	12 MR. WEINBERGER: O-D-Y.
13 your description of --	13 MR. YUNG: P-A-R-O-D-Y.
14 A. I saw a Web site that was	14 THE WITNESS: What's parody?
15 capitalizing on the Trump name that had some	15 BY MR. YUNG:
16 inflammatory statements.	16 Q. You don't know what parody is?
17 Q. Such as?	17 A. Not in this context, no.
18 A. Talking about Apprentice ratings,	18 Q. Have you seen Saturday Night Live
19 and I don't even think that the ratings you	19 where your father appears to be in a comic
20 put on there were true, having some mock	20 skit, and there is another actor --
21 video of my father pulled from You Tube.	21 A. That's acting.
22 Overall I thought it was pretty distasteful.	22 Q. Try to imagine that as humor, to
23 Q. Do you know the term what parody	23 imitate another personality.
24 means?	24 A. Sure.
25 MR. WEINBERGER: The same	25 Q. I guess that's trying to describe
[Page 42]	[Page 44]
1 E. F. TRUMP	1 E. F. TRUMP
2 objection that I had given before.	2 what parody is, as a comical situation where
3 Parody has a legally operative term.	3 you imitate somebody just for the humor of
4 The witness can answer that as a	4 it.
5 non-lawyer, that's fine. But I want	5 MR. WEINBERGER: Are you asking
6 to make clear on the record that	6 him a question?
7 he's not an attorney --	7 MR. YUNG: He's asking me a
8 THE WITNESS: Why don't you	8 question, so I have to define --
9 rephrase the question and ask it in	9 THE WITNESS: Again, I just -- I
10 a different way?	10 don't know where this is going,
11 BY MR. YUNG:	11 so you just tell me.
12 Q. Do you know what parody is?	12 BY MR. YUNG:
13 MR. WEINBERGER: Same objection.	13 Q. So right now as I described to you,
14 THE WITNESS: Just rephrase the	14 do you understand what parody is?
15 question.	15 A. Of course, somebody mocking somebody
16 BY MR. YUNG:	16 else for their benefit, yes.
17 Q. Do you know what parody is?	17 Q. Okay. I have something to show you
18 A. Yes.	18 as well. This is, I guess, what we can call
19 Q. Can you elaborate on what your	19 Exhibit 3.
20 understanding is?	20 MR. WEINBERGER: Mr. Yung, have
21 A. If you have parity -- I don't	21 you turned this over to us?
22 understand in the context of what we're	22 MR. YUNG: It's also part of
23 talking about right now.	23 exhibits in my opposition, it's part
24 Q. Parody just in parody, do you -- I	24 of the exhibits.
25 just want to ascertain what your	25 MR. WEINBERGER: So yes, we have
[Page 43]	[Page 45]

[12] (Pages 42 to 45)

1	E. F. TRUMP	1	E. F. TRUMP
2	it?	2	A. "About trumpet skirt" is another
3	MR. YUNG: Yeah.	3	one.
4	MR. WEINBERGER: Okay, thank	4	Q. So are you aware of the idea that's
5	you.	5	behind what I'm showing you?
6	(Whereupon, the aforementioned	6	MR. WEINBERGER: Objection.
7	document was marked as	7	THE WITNESS: "About Donald
8	Plaintiff's Exhibit 3 for	8	Trumph," T-R-U-M-P-H. Yes, I am
9	identification as of this date.)	9	aware that these clearly have the
10	THE WITNESS: I assume these are	10	trump name in them.
11	just domain names.	11	BY MR. YUNG:
12	MR. YUNG: For the proper	12	Q. Right. So we can establish that
13	description, this is a Web site that	13	there's over 10,000 of these domain names
14	lists registered Web sites that	14	that contains the word trump in it. I would
15	contains some words.	15	like to ask you, do you intend to make
16	MR. WEINBERGER: I just want to	16	claims on these domain names, like
17	note that's what the plaintiff pro	17	trumpet.com?
18	se is characterizing it as. I don't	18	MR. WEINBERGER: Object to the
19	know what it is or what --	19	question. You've told the witness
20	MR. YUNG: It's a tool on the	20	that there are 10,000 names.
21	Internet to find domain names that	21	MR. YUNG: Over.
22	contain some words.	22	MR. WEINBERGER: You've told the
23	MR. WEINBERGER: I understand	23	witness that there are over 10,000
24	that you're telling him that, but if	24	names.
25	a witness is going to testify as to	25	MR. YUNG: It's listed in there.
[Page 46]		[Page 48]	
1	E. F. TRUMP	1	E. F. TRUMP
2	a document, he either knows what it	2	MR. WEINBERGER: The list on
3	is or he doesn't. He has to tell	3	Exhibit 3 only shows --
4	you that. You can't tell him what	4	MR. YUNG: In the top it says
5	it is or isn't. You can tell what	5	that there's over 10,000 entries.
6	you think it is, but --	6	MR. WEINBERGER: I understand
7	THE WITNESS: I assume they are	7	the document speaks for itself. On
8	domain names. Go ahead.	8	the first page, it says, "Showing
9	BY MR. YUNG:	9	one to 100 of approximately 4,744."
10	Q. There are like over 10,000 domain	10	The second page -- the second
11	names using that Web site that shows like	11	collection of documents, which is
12	domain names that contains the word trump or	12	the query that asks to include any
13	contains the spelling trump. I didn't print	13	domain names that includes trump
14	out all 10,000 but the first two pages.	14	somewhere in it says, "One to 100 of
15	There are two queries in there. The first	15	approximately 18,000." But these
16	is "Donald Trump" and another query was	16	lists that are on Exhibit 3 show two
17	"containing trump." Do you see on the right	17	separate lists of 100 names. I only
18	side it lists out all the TLDs or .com .net,	18	wanted to note that for the record.
19	and so forth like that? So those are	19	You can ask him about 10,000 all you
20	previously registered, or currently	20	want, but the document says what it
21	registered, or active domain names and	21	says.
22	contains the word trump.	22	BY MR. YUNG:
23	A. "About a trumpet" is one of them.	23	Q. Okay. So this is going to show that
24	"About trumpets" is another one.	24	you can go to the Web site any time to get
25	Q. So you see a lot --	25	the same queries again which would show the
[Page 47]		[Page 49]	

1 E. F. TRUMP
 2 10,000 domains names, over 10,000 domain
 3 names. So back to my question, since there
 4 are over 10,000 domain names that contains
 5 the word trump, do you have any intentions,
 6 or your Trump Organization, or Donald Trump,
 7 have any plans to make claims on these
 8 domain names, like trumpet.com?
 9 MR. WEINBERGER: Same objection.
 10 Go ahead.
 11 THE WITNESS: Of course not
 12 because trumpet.com is not relevant
 13 to our business. It's not relevant
 14 to the intellectual property that we
 15 own. We will go after the trade
 16 names that are trying to benefit
 17 from our name and use our name for
 18 the interest of their own business.
 19 We will go after those, and we will
 20 shut them down, and we have done so
 21 very successfully. Many of these
 22 aren't even remotely relevant as
 23 they pertain to our business. And
 24 quite frankly, you could go after
 25 domain names until you're blue in
 [Page 50]

1 E. F. TRUMP
 2 the face, and there would be no
 3 point going after "trump/hR." That
 4 has no relevance to our business nor
 5 are they capitalizing off our name
 6 in their own self interest. So we
 7 would not go after a trade name like
 8 that, but we would go after ones
 9 that are actively trying to extort
 10 us, actively trying to hold us up
 11 very much like the ones in this
 12 case, actively trying to name Web
 13 sites in the exact same way as we
 14 name our Web sites, which is the
 15 Trump name, which is owned
 16 intellectual property in conjunction
 17 with a place that we are doing
 18 business, as in Mumbai, or as in Abu
 19 Dhabi, or as in India, or China, or
 20 New York City, or any of the other
 21 ones that we own.
 22 BY MR. YUNG:
 23 Q. Do you agree that trumpet.com can be
 24 interpreted as Trump Entertainment, ET.com?
 25 MR. WEINBERGER: Objection.
 [Page 51]

1 E. F. TRUMP
 2 THE WITNESS: I think it's
 3 pretty far-fetched.
 4 BY MR. YUNG:
 5 Q. If the content has materials that
 6 parody the Trump Organization or assets of
 7 Donald J. Trump, will you go after that
 8 because of the content?
 9 MR. WEINBERGER: Objection.
 10 THE WITNESS: Yes, we would. If
 11 it was trying to benefit from our
 12 name, and we own Trump, and I
 13 believe we own Trump Entertainment,
 14 albeit that the attorneys can answer
 15 that question for you, so I think we
 16 would have that intellectual
 17 property regardless, yes, we would
 18 go after it.
 19 BY MR. YUNG:
 20 Q. So TrumpET, interpreted it that way,
 21 you would be interested in that domain name,
 22 in acquiring that, for your purposes of
 23 illustrating materials related to Trump
 24 Entertainment?
 25 A. I think we would go after Trump
 [Page 52]

1 E. F. TRUMP
 2 Entertainment.
 3 Q. Not TrumpET?
 4 A. We would only go after TrumpET if it
 5 was -- we probably wouldn't need TrumpET
 6 unless it was hurting our brand, unless
 7 somebody was trying to use it at the
 8 detriment of our company and to make money
 9 based on a company that we built ourself.
 10 Q. Can you tell me how many domain
 11 names are you planning to acquire on behalf
 12 of Donald Trump or the Trump Organization?
 13 MR. WEINBERGER: Objection.
 14 THE WITNESS: I would have no
 15 way of even being able to quantify
 16 that. I can tell you I have
 17 acquired thousands of them.
 18 BY MR. YUNG:
 19 Q. So your plans, maybe you can't
 20 quantify them, about 10, about 100, about
 21 500, like a ballpark feel?
 22 MR. WEINBERGER: You asked and
 23 he answered he couldn't answer that
 24 question.
 25 THE WITNESS: We acquire
 [Page 53]

<p>1 E. F. TRUMP</p> <p>2 thousands of domain names.</p> <p>3 BY MR. YUNG:</p> <p>4 Q. I guess you may have answered it, so</p> <p>5 I'll skip to other ones. Do you know what</p> <p>6 political free speech means?</p> <p>7 A. Yes, I do.</p> <p>8 Q. Can you elaborate on that?</p> <p>9 A. Political free speech is the right</p> <p>10 to say what you want.</p> <p>11 Q. That's it?</p> <p>12 A. Yeah, it's the freedom of speech.</p> <p>13 Q. When were you aware of the parody</p> <p>14 and political free speech contents that are</p> <p>15 on the Web sites of the at-issue domain</p> <p>16 names?</p> <p>17 MR. WEINBERGER: Objection.</p> <p>18 THE WITNESS: When was I aware</p> <p>19 of --</p> <p>20 BY MR. YUNG:</p> <p>21 Q. When were you made aware of the</p> <p>22 parody and political free speech content?</p> <p>23 A. I think I would be aware of it when</p> <p>24 I visited the Web site.</p> <p>25 Q. When was that?</p> <p style="text-align: right;">[Page 54]</p>	<p>1 E. F. TRUMP</p> <p>2 knows that he has a team of qualified people</p> <p>3 including myself, including Alexis,</p> <p>4 including the team from Fross Zelnick who</p> <p>5 protect his intellectual property on a daily</p> <p>6 basis.</p> <p>7 Q. So he may not even be aware of this</p> <p>8 litigation; is that what you're inferring or</p> <p>9 implying?</p> <p>10 A. I'm saying that my father defers to</p> <p>11 me to handle this kind of litigation on his</p> <p>12 behalf.</p> <p>13 Q. So I'm asking you specifically he</p> <p>14 may not be aware of this litigation?</p> <p>15 A. That's correct. And by the way, let</p> <p>16 me interject, if my father knew about every</p> <p>17 single one of the litigations like this --</p> <p>18 Q. You just said that --</p> <p>19 MR. WEINBERGER: Let him finish</p> <p>20 his answer.</p> <p>21 THE WITNESS: If my father knew</p> <p>22 about every litigation like this</p> <p>23 that the company faces on a daily</p> <p>24 basis, he wouldn't be able to sleep</p> <p>25 at night.</p> <p style="text-align: right;">[Page 56]</p>
<p>1 E. F. TRUMP</p> <p>2 A. I believe it was today.</p> <p>3 Q. Just today?</p> <p>4 A. Correct.</p> <p>5 Q. So overall during this legal</p> <p>6 dispute, you went to the Web site just</p> <p>7 today?</p> <p>8 A. No. My attorneys went to the Web</p> <p>9 site.</p> <p>10 Q. But I was asking you.</p> <p>11 A. I visited it in anticipation of</p> <p>12 today to see what was on there, but</p> <p>13 obviously I knew what was on the Web site.</p> <p>14 Q. Okay. Can you let me know, does the</p> <p>15 individual, Donald Trump, know about the</p> <p>16 at-issue domain names?</p> <p>17 A. He entrusts me to take care of</p> <p>18 issues like this on his behalf.</p> <p>19 Q. So you're not even sure if he knows</p> <p>20 about it.</p> <p>21 A. He knows. He has a team of</p> <p>22 qualified employees.</p> <p>23 Q. But I'm asking you, does he know</p> <p>24 about it, he himself?</p> <p>25 A. Let me answer your question. He</p> <p style="text-align: right;">[Page 55]</p>	<p>1 E. F. TRUMP</p> <p>2 BY MR. YUNG:</p> <p>3 Q. Okay. So are you aware if the</p> <p>4 individual, Donald Trump, gave permission to</p> <p>5 anybody to use his name in any legal</p> <p>6 dispute, more specifically did he give</p> <p>7 permission to anyone to use his name for</p> <p>8 this legal dispute because it's in the</p> <p>9 caption of the arbitration claim and the</p> <p>10 caption of the counterclaims.</p> <p>11 MR. WEINBERGER: Objection,</p> <p>12 compound question.</p> <p>13 THE WITNESS: That's too broad.</p> <p>14 I don't know what that means. Has</p> <p>15 Donald Trump ever given somebody</p> <p>16 permission to use his name? I don't</p> <p>17 know what that means.</p> <p>18 BY MR. YUNG:</p> <p>19 Q. Because when he filed the</p> <p>20 arbitration claim, in the caption it was</p> <p>21 Donald J. Trump, not Trump Organization and</p> <p>22 not Eric Trump. So I'm asking did he give</p> <p>23 permission to anybody, to you, to Alexis</p> <p>24 Robinson, or Todd Martin to use his name?</p> <p>25 A. I have full permission, as his son,</p> <p style="text-align: right;">[Page 57]</p>

1 E. F. TRUMP
2 to protect the Trump family name, and that's
3 part of my job, that's part of my job
4 description, which you already established
5 earlier in the deposition.

6 Q. So you can't answer that?

7 A. I have full permission to use his
8 name, and defend his name, and defend the
9 Trump family name against people who
10 infringe on intellectual property that we
11 own. I couldn't be more clear about that.

12 Q. Sure, sir. Okay. It appears that
13 your party in this litigation delayed over
14 three years since your initial registration
15 of the domain names. Can you explain why is
16 that?

17 MR. WEINBERGER: Objection,
18 foundation.

19 THE WITNESS: We handle domain
20 name intellectual property
21 infringement as soon as we become
22 aware of it. I believe we tried to
23 handle this one amicably by coming
24 to you and asking for the domains
25 back. I think when you said no, we

[Page 58]

1 E. F. TRUMP
2 did a WIPO filing. We effectively
3 won that. Obviously this is an
4 appeal. This has been going on for
5 some time. As soon as we found out
6 about the infringement, we acted on
7 it as we do with any infringement
8 that we feel is detrimental toward
9 our company.

10 BY MR. YUNG:

11 Q. Why didn't you register the domain
12 names right at the moment when Donald Trump,
13 Jr. visited India?

14 A. We register domain names all the
15 time. In fact, I would even argue that
16 preemptively registering domain names could
17 potentially allude to newspaper, press that
18 you're coming into a market, and sometimes
19 you don't want to have that happen when you
20 want to quietly enter a market and come up
21 with something big before you launch that.

22 We register domain names all the
23 time. I think, in fact, you're the first
24 one to say that there are over 10,000 trump
25 domain names just that you've printed out

[Page 59]

1 E. F. TRUMP
2 alone. You can't expect any company of our
3 size to register every single permutation of
4 every single domain name. I think you would
5 agree.

6 Q. I have no opinion on that.

7 A. I didn't think so.

8 Q. It also appears that your party used
9 delay tactics when your party delayed
10 another three months after your initial
11 telephone conference in October 2010 and
12 then waited, the delay tactics, waited
13 another three months until December 2010 to
14 file your arbitration claim. Why is that?

15 MR. WEINBERGER: Objection to
16 the form of the question, and object
17 to the use of "delay tactics." If
18 you want to ask him a question about
19 when something was done and when
20 something else was done, that's
21 fine, but there is no reason to
22 bring that kind of characterization
23 to a question.

24 THE WITNESS: I can assure you
25 we don't use delay tactics. When

[Page 60]

1 E. F. TRUMP
2 somebody is infringing on our
3 rights, we go after them, we file,
4 we normally try to solve it
5 amicably. We normally do a very
6 good job doing so. When we can't do
7 that, obviously we use other means
8 to get out intellectual property
9 back. That's exactly what happened
10 here.

11 BY MR. YUNG:

12 Q. But my question was, why was there a
13 delay of three months from the initial
14 conference in October of 2010 and until
15 December 2010; why was there a delay?

16 MR. WEINBERGER: Objection,
17 foundation.

18 THE WITNESS: I don't know the
19 delay you're referring to. We
20 handle intellectual property matters
21 as they come across our desk. We
22 handle them efficiently, we handle
23 many of them, and we handle them in
24 due course with our business.

25 BY MR. YUNG:

[Page 61]

[16] (Pages 58 to 61)

<p>1 E. F. TRUMP</p> <p>2 Q. Tell me when did you become aware of</p> <p>3 the at-issue domain names?</p> <p>4 A. When this all started.</p> <p>5 Q. Can you describe a ballpark feel of</p> <p>6 what year and month?</p> <p>7 A. I wouldn't know off the top of my</p> <p>8 head. We have regular meetings about issues</p> <p>9 exactly like the one we're talking about</p> <p>10 right now.</p> <p>11 Q. You cannot give a ballpark feel of</p> <p>12 when you were made aware of the at-issue</p> <p>13 domain names?</p> <p>14 MR. WEINBERGER: Asked and</p> <p>15 answered.</p> <p>16 THE WITNESS: I have no idea of</p> <p>17 the exact month. I wouldn't even</p> <p>18 know the year. We deal with so many</p> <p>19 of these unfortunately.</p> <p>20 BY MR. YUNG:</p> <p>21 Q. So let me ask you, when did you take</p> <p>22 responsibility in handling this legal</p> <p>23 matter?</p> <p>24 MR. WEINBERGER: Objection.</p> <p>25 THE WITNESS: I have a team of</p> <p style="text-align: right;">[Page 62]</p>	<p>1 E. F. TRUMP</p> <p>2 legal actions?</p> <p>3 A. The second it hurts our name.</p> <p>4 Q. Do you know the month and a year? I</p> <p>5 can understand you don't remember the day of</p> <p>6 the month but what about the month and the</p> <p>7 year?</p> <p>8 A. I have answered this question three</p> <p>9 times. I'm happy to do it again. We deal</p> <p>10 with hundreds of these issues just like the</p> <p>11 one that we have in front of us today. Most</p> <p>12 of them, we solve amicably. The other ones,</p> <p>13 we take to court, and quite frankly, we</p> <p>14 usually win because we're a very well-known</p> <p>15 company, and unfortunately, people try and</p> <p>16 do this all the time. They all blend</p> <p>17 together. We deal with hundreds of these.</p> <p>18 I can't tell you the exact month. I can't</p> <p>19 even tell you probably the year that this</p> <p>20 started or I became involved.</p> <p>21 Q. So you're basically responsible for</p> <p>22 the arbitration claims and the counterclaims</p> <p>23 in this legal dispute?</p> <p>24 MR. WEINBERGER: Objection.</p> <p>25 THE WITNESS: Yes, I am the</p> <p style="text-align: right;">[Page 64]</p>
<p>1 E. F. TRUMP</p> <p>2 very capable people. They handle</p> <p>3 legal matters just like this who</p> <p>4 report to me on a weekly and monthly</p> <p>5 basis or really as needed. They</p> <p>6 took responsibility for this matter.</p> <p>7 They saw that it was infringing,</p> <p>8 that it was trying to use the Trump</p> <p>9 name in an inappropriate way and</p> <p>10 infringe on what we own and</p> <p>11 rightfully own, and they took action</p> <p>12 of that. And obviously, I'm</p> <p>13 informed every step of the way, so I</p> <p>14 was involved from the very</p> <p>15 beginning.</p> <p>16 BY MR. YUNG:</p> <p>17 Q. But you cannot tell me the exact</p> <p>18 month or the year?</p> <p>19 MR. WEINBERGER: Asked and</p> <p>20 answered.</p> <p>21 THE WITNESS: Unfortunately,</p> <p>22 these all blend together.</p> <p>23 BY MR. YUNG:</p> <p>24 Q. Can you tell me when did you begin</p> <p>25 to direct your employees or lawyers to take</p> <p style="text-align: right;">[Page 63]</p>	<p>1 E. F. TRUMP</p> <p>2 person in my company responsible for</p> <p>3 arbitration claims, litigation</p> <p>4 claims as it relates to intellectual</p> <p>5 property.</p> <p>6 BY MR. YUNG:</p> <p>7 Q. Do you know what were the days that</p> <p>8 the at-issue domain names were registered?</p> <p>9 MR. WEINBERGER: Objection.</p> <p>10 THE WITNESS: I have no idea.</p> <p>11 BY MR. YUNG:</p> <p>12 Q. What about when you realized -- when</p> <p>13 did you realize that these domain names were</p> <p>14 registered?</p> <p>15 MR. WEINBERGER: Objection.</p> <p>16 THE WITNESS: I have no idea.</p> <p>17 BY MR. YUNG:</p> <p>18 Q. Do you think your father, Donald</p> <p>19 Trump, is setting you up as a scapegoat in</p> <p>20 this case so he can protect his older son,</p> <p>21 Donald Trump, Jr.?</p> <p>22 MR. WEINBERGER: Objection.</p> <p>23 THE WITNESS: Protect my older</p> <p>24 brother?</p> <p>25 BY MR. YUNG:</p> <p style="text-align: right;">[Page 65]</p>

1	E. F. TRUMP	1	E. F. TRUMP
2	Q. Let me elaborate. He mentioned and	2	handle, because he happened to take
3	promoted in the arbitration claim Donald	3	a trip over there, in fact, we've
4	Trump, Jr. as being the executive vice	4	taken many trips or he's taken many
5	president of the company and taking matters,	5	trips over there, and the rest of my
6	business matters, in his own hands in going	6	family has taken many trips over
7	to India representing the Trump	7	there, and the executives of our
8	Organization, promoting his personality,	8	organization have taken many trips
9	promoting his business acumen in the	9	over there, and we're working on
10	arbitration claims.	10	projects over there, I think is
11	Now, suddenly he's out of the	11	quite frankly off base.
12	picture in the counterclaims, in documents	12	BY MR. YUNG:
13	submitted by your counsel, and now -- right	13	Q. Okay. So what you're trying to say
14	now in this discovery process, suddenly you	14	is because you've taken many trips to
15	came into the picture stating that you're	15	locations that contains the domain names,
16	the one whose taking care of all these	16	the at-issue domain names, therefore, it
17	situations, legal claims, and so forth. So	17	gives you rights to the at-issue domain
18	I'm just asking you, do you think your	18	names?
19	father, Donald Trump, is setting you up as a	19	MR. WEINBERGER: Objection. The
20	scapegoat on this legal case so he can	20	witness' testimony is what he said.
21	protect his older son, Donald Trump, Jr.?	21	It's in the record, and the reporter
22	MR. WEINBERGER: Objection to	22	can read it back if you want, but
23	the form of the many questions that	23	you shouldn't characterize what he
24	were just asked.	24	said.
25	THE WITNESS: How did I know	25	THE WITNESS: Aside from that,
	[Page 66]		[Page 68]
1	E. F. TRUMP	1	E. F. TRUMP
2	that was coming? Let me start by	2	I've already mentioned earlier that
3	saying, I made it very clear at the	3	aside from doing many business trips
4	beginning of this deposition that	4	to these places, having projects in
5	I'm responsible for intellectual	5	many of those locations, we also
6	property in the Trump Organization.	6	have many other business interests
7	I went on record, I said it under	7	in these countries, in these areas
8	oath. That is a fact. There is no	8	around the world.
9	one setting anybody up for this.	9	I have spoken to The Apprentice,
10	Second of all, I find it	10	I have spoken to books, I have
11	interesting that you specifically	11	spoken to major high-rises that are
12	refer to Trump India when I have	12	either in the works or had been
13	spent tremendous amount of time in	13	announced in many of the places that
14	Asia, I have spent a tremendous	14	really are in question as part of
15	amount of time in China, Trump	15	this.
16	Beijing, using the example. I have	16	The Apprentice has been
17	spent a tremendous amount of time in	17	translated into literally dozens of
18	Abu Dhabi. I've spent a tremendous	18	languages so have the books. Miss
19	amount of time in the UAE, all other	19	Universe has been in every single
20	domain names that you happen to own	20	one of these countries. In fact
21	and happen to be cybersquatting. So	21	many of these countries have done
22	to say that my brother went over to	22	very well in Miss Universe and every
23	India and is, therefore, responsible	23	single year vie to try and get Miss
24	for a domain name, which is	24	Universe in their country. We have
25	something in the company that I	25	executives from every branch of our
	[Page 67]		[Page 69]

[18] (Pages 66 to 69)

1	E. F. TRUMP	1	E. F. TRUMP
2	organization over in these countries	2	Q. No more questions.
3	on a very regular basis.	3	(Whereupon, at 2:06 p.m., the
4	So yes, we travel there. We	4	examination of this witness was
5	travel there for business. We	5	concluded.)
6	travel there for all our ventures.	6	
7	We travel there extensively. The	7	_____
8	media covers us extensively. Even	8	ERIC F. TRUMP
9	when we're not there, the media is	9	
10	covering us in these countries. I	10	Subscribed and sworn to before me
11	could not be more clear that we've	11	this ____ day of _____, 2011.
12	got ongoing business ventures in	12	
13	virtually every single place that	13	_____
14	you've mentioned and virtually	14	NOTARY PUBLIC
15	almost every place around the world.	15	
16	BY MR. YUNG:	16	
17	Q. Okay. Let me ask you, who else are	17	
18	you aware of that's intimately involved in	18	
19	this legal dispute?	19	
20	A. Myself, Alexis Robinson, and our	20	
21	team from Fross Zelnick.	21	
22	Q. Anybody else in the Trump	22	
23	Organization?	23	
24	A. No.	24	
25	Q. Okay. I guess that's all my	25	
[Page 70]		[Page 72]	
1	E. F. TRUMP	1	I N D E X
2	questions.	2	
3	MR. WEINBERGER: Can we take a	3	WITNESS EXAMINATION BY PAGE
4	break. I have a few questions for	4	Mr. Trump Mr. Yung 6
5	Mr. Trump.	5	Mr. Weinberger 71
6	(Whereupon, a recess was taken.)	6	
7	CROSS-EXAMINATION	7	E X H I B I T S
8	BY MR. WEINBERGER:	8	PLAINTIFF'S DESCRIPTION PAGE
9	Q. Mr. Trump, I think you testified	9	1 Wikipedia entry 25
10	earlier in response to one of the	10	2 E-mail from Mr. Martin 33
11	plaintiff's questions that you became aware	11	3 DomainTools document 46
12	of the, "free speech and parody" on his Web	12	
13	site when you looked at it. Do you recall	13	I N S E R T S
14	that testimony?	14	DESCRIPTION PAGE/LINE
15	A. I became aware of the Web site when	15	None
16	I looked at it, clearly not free speech.	16	
17	Q. Can you explain?	17	R E Q U E S T S F O R P R O D U C T I O N
18	A. When I looked at his Web site, it's	18	DESCRIPTION PAGE
19	the first time I became aware of the	19	None
20	content. Quite frankly, I thought the	20	
21	content was inflammatory, you know, defamed	21	Q U E S T I O N S M A R K E D F O R
22	us but certainly not as it pertains to free	22	R U L I N G
23	speech.	23	QUESTIONING ATTORNEY PAGE/LINE
24	(Continued on next page	24	None
25	to include jurat.)	25	
[Page 71]		[Page 73]	

[19] (Pages 70 to 73)

1	STATE OF NEW YORK)	
	ss.:	
2	COUNTY OF KINGS)	
3		
4	I wish to make the following changes,	
5	for the following reasons:	
6		
7	PAGE LINE	
8	____ CHANGE: _____	
9	REASON: _____	
10		
11	____ CHANGE: _____	
12	REASON: _____	
13		
14	____ CHANGE: _____	
15	REASON: _____	
16		
17	____ CHANGE: _____	
18	REASON: _____	
19		
20	____ CHANGE: _____	
21	REASON: _____	
22		
23	____ CHANGE: _____	
24	REASON: _____	
25		

A		
<p>able 11:11 12:16 53:15 56:24</p> <p>above-entitled 1:17</p> <p>absolutely 29:7 37:12</p> <p>Abu 15:16 18:15 51:18 67:18</p> <p>accuracy 4:20 5:19</p> <p>accurate 17:18 19:20 27:24 27:25</p> <p>acquire 23:5 32:8,19,22 33:4 35:23 53:11,25</p> <p>acquired 40:3 53:17</p> <p>acquiring 22:20 32:13 52:22</p> <p>acquisition 26:11,19</p> <p>acquisitions 24:7,17 26:8</p> <p>acted 59:6</p> <p>acting 9:17,18 44:21</p> <p>action 1:17 63:11 74:15</p> <p>actions 64:2</p> <p>active 26:14 47:21</p> <p>actively 20:20 23:13 26:9 40:22 51:9,10,12</p> <p>activities 28:17</p> <p>actor 44:20</p> <p>actual 28:15</p> <p>acumen 66:9</p> <p>administer 3:7</p> <p>advisor 27:16</p> <p>aforementioned 25:24 33:7 46:6</p> <p>agree 5:7 6:9 51:23 60:5</p> <p>AGREED 3:1,10,13</p> <p>agreement 4:19 5:12 15:23 33:24</p> <p>ahead 47:8 50:10</p> <p>albeit 52:14</p> <p>Alexis 2:18 8:10 9:22 10:6 29:16 34:13 37:23 56:3 57:23 70:20</p> <p>allow 5:10</p> <p>allude 59:17</p> <p>Alongside 26:23</p> <p>amicably 58:23 61:5 64:12</p> <p>amount 39:8 40:21 67:13,15 67:17,19</p> <p>analyze 27:13</p> <p>announced 69:13</p> <p>answer 5:2 7:20 8:6 12:16 14:19 20:10 22:4 29:24</p>	<p>30:5 35:19 40:5 43:4 52:14 53:23 55:25 56:20 58:6</p> <p>answered 23:20,23 53:23 54:4 62:15 63:20 64:8</p> <p>answering 14:20 30:6</p> <p>anticipation 55:11</p> <p>anybody 57:5,23 67:9 70:22</p> <p>appeal 17:9 59:4</p> <p>appeared 27:9</p> <p>appearing 3:14</p> <p>appears 44:19 58:12 60:8</p> <p>Apprentice 16:23 27:17,18 42:18 69:9,16</p> <p>approximately 49:9,15</p> <p>arbitration 37:16,21 38:19 38:20 57:9,20 60:14 64:22 65:3 66:3,10</p> <p>areas 18:18,19,23 19:5 23:15 69:7</p> <p>argue 59:15</p> <p>articles 13:8</p> <p>ascertain 43:25</p> <p>Asia 67:14</p> <p>aside 19:11 68:25 69:3</p> <p>asked 5:4 12:17 23:19,22 41:13 53:22 62:14 63:19 66:24</p> <p>asking 4:11 5:6 8:23 9:11 21:21 23:17 30:14 37:19 38:23 39:18 42:12 44:6 45:5,7 55:10,23 56:13 57:22 58:24 66:18</p> <p>asks 49:12</p> <p>aspects 26:9</p> <p>assets 52:6</p> <p>Assistant 2:19</p> <p>assume 21:20 28:22 35:16 46:10 47:7</p> <p>assure 60:24</p> <p>attempt 40:5</p> <p>attorney 8:13 9:16,18 39:17 39:25 43:7 73:23</p> <p>attorneys 2:4 3:2 52:14 55:8</p> <p>attorney-client 30:4,8</p> <p>at-issue 8:24 10:20,21 12:7 12:13 15:4,13 18:13 32:8,19 35:24 38:23 39:11,13 41:4 41:16 54:15 55:16 62:3,12 65:8 68:16,17</p>	<p>authorized 3:6</p> <p>Avenue 2:21</p> <p>aware 9:2,5,12,14,15,19 10:4 11:3,5 12:12 21:7,14 22:5 22:16 35:9 37:14 38:13,18 38:24 41:3,14 48:4,9 54:13 54:18,21,23 56:7,14 57:3 58:22 62:2,12 70:18 71:11 71:15,19</p>
		B
		<p>B 73:7</p> <p>back 9:6 12:20,23 23:24 50:3 58:25 61:9 68:22</p> <p>ballpark 53:21 62:5,11</p> <p>Bangalore 16:7</p> <p>base 68:11</p> <p>baseball 44:8</p> <p>based 53:9</p> <p>basically 29:3 64:21</p> <p>basis 29:17 56:6,24 63:5 70:3</p> <p>beginning 63:15 67:4</p> <p>behalf 1:18 9:17 53:11 55:18 56:12</p> <p>behind-the-scenes 27:21</p> <p>Beijing 16:9 18:15 67:16</p> <p>believe 17:3 18:5 33:25 42:7 52:13 55:2 58:22</p> <p>belong 23:16</p> <p>benefit 32:23 45:16 50:16 52:11</p> <p>best 11:8</p> <p>better 19:22</p> <p>big 9:13 15:25 59:21</p> <p>Binita 1:20 74:7,23</p> <p>birth 21:9</p> <p>bit 15:16 36:15</p> <p>blend 63:22 64:16</p> <p>blood 74:16</p> <p>blue 50:25</p> <p>board 24:8</p> <p>boardroom 27:17</p> <p>bonuses 28:18</p> <p>books 16:14 69:10,18</p> <p>branch 69:25</p> <p>brand 18:12 20:16 24:19 27:4 30:25 31:3 53:6</p> <p>break 71:4</p> <p>brief 30:2</p>

bring 60:22 broad 57:13 Brooklyn 1:10 2:14 brother 8:2 65:24 67:22 browser 10:25 11:20 building 15:24 19:2 24:10,10 buildings 19:2,18 built 11:25 25:6 53:9 business 15:9 16:11,22 18:10 27:9,10,12 28:6 31:7 40:11 40:13,22 50:13,18,23 51:4 51:18 61:24 66:6,9 69:3,6 70:5,12 businessman 39:23 buying 24:11	Chinese 16:15 circle 34:3,6 circled 26:6 City 51:20 claim 37:16,21 38:19,20 57:9 57:20 60:14 66:3 claims 48:16 50:7 64:22 65:3 65:4 66:10,17 clarify 32:17 clarity 32:5 34:9 41:7 clear 39:24 43:6 58:11 67:3 70:11 clearly 48:9 71:16 closely 29:16 Club 26:25 CMS 13:6 CNBC 27:12 coach 7:21 coaching 5:21 cognizant 41:3,14 coincidentally 17:7 collection 49:11 com 47:18 come 24:22 36:24,25 37:2 59:20 61:21 comes 9:20 29:2 comic 44:19 comical 45:2 coming 7:9 37:4 58:23 59:18 67:2 comment 27:13 commercial 16:13 19:13 common 21:21 communication 30:4,8 companies 15:18 company 9:13,20 14:3,9,24 15:22 17:10 21:5 28:23 29:16 31:5,24,25 32:2,3,4 32:12,21,23,24,25 33:3 36:10 37:4 53:8,9 56:23 59:9 60:2 64:15 65:2 66:5 67:25 compensated 22:19 compensation 22:24 28:12,18 complaint 34:25 36:23 components 19:11,12,13,14 compound 21:17 57:12 concerned 23:16 concerning 10:19 35:4	concluded 72:5 condo 28:15,15 conference 60:11 61:14 conferences 27:11 confidentiality 31:11 conjunction 51:16 connection 44:3 construction 27:2 28:17 contain 46:22 containing 47:17 contains 46:15 47:12,13,22 48:14 50:4 68:15 content 13:5 42:12 52:5,8 54:22 71:20,21 contents 54:14 context 43:22 44:17 continue 31:15 41:12 Continued 71:24 copy 3:15 6:23,25 34:25 corporate 28:8,11 38:6 corporation 18:12 correct 20:3 55:4 56:15 correction 34:17 cost 3:16 counsel 2:19 3:14 7:20 37:24 66:13 counterclaims 57:10 64:22 66:12 countries 15:15 20:7,8,15 40:12,14 69:7,20,21 70:2,10 country 22:10 69:24 COUNTY 74:4 75:2 course 17:25 18:3 24:11 31:7 45:15 50:11 61:24 court 1:1 25:14 64:13 covering 70:10 covers 70:8 CROSS-EXAMINATION 71:7 current 13:19 currently 18:16 27:5 40:13 47:20 custody 6:21 8:24 9:11 cybersquatting 67:21
C		
C 2:1 73:17 74:1,1 Cadman 1:10 California 27:7 call 45:18 capable 63:2 capitalize 14:6 18:9 capitalizing 42:11,15 51:5 caption 32:16 37:21 57:9,10 57:20 card 41:8,10 cards 7:2 care 55:17 66:16 case 6:3 14:12,12,22 24:25 51:12 65:20 66:20 caution 30:2 Celebrity 27:18 certainly 31:16 71:22 certification 3:4 certify 74:9,14 chance 12:4 change 29:4 75:8,11,14,17,20 75:23 changed 29:10 36:13 changes 75:4 changing 24:13 characterization 60:22 characterize 68:23 characterizing 5:20 46:18 Charlottesville 26:20 Chicago 17:24 China 16:9,10,16,17 51:19 67:15		
D		
D 2:8 73:1,17,21 daily 27:3 28:24 29:17 31:7 56:5,23		

date 26:3 33:10 35:13 46:9 day 24:9,9,9,11,12 29:15 36:9 64:5 72:11 74:20 days 39:3 65:7 deal 28:4 62:18 64:9,17 dealing 15:12 18:25 28:9,9 28:10,11 deals 15:19 17:16 December 35:13 60:13 61:15 defamed 71:21 defend 58:8,8 Defendant 1:8,17 Defendants 2:4 defers 56:10 define 45:8 definitive 24:14 delay 60:9,12,17,25 61:13,15 61:19 delayed 58:13 60:9 delivered 10:22 11:4 department 10:13 depending 19:14 37:11 depends 24:12 deposition 3:4,5,9,16 4:12,18 5:11 7:21 25:17 58:5 67:4 describe 24:3 42:8 44:25 62:5 described 45:13 describes 27:23 38:20 describing 36:21 description 10:11 19:20,23 24:4,14,23 27:24 28:4 29:3 29:4,10 33:12,17 42:13 46:13 58:4 73:8,14,18 description's 34:11 design 22:14 27:2 desk 61:21 detriment 53:8 detrimental 59:8 developed 18:11 developer 15:8,9 16:4 31:4 developing 19:4,5 20:21 development 24:7,16 26:8,10 26:12,21 27:14 device 13:14 Dhabi 15:16 18:15 51:19 67:18 dictionary 21:12,12 different 12:21 15:18 16:13 17:2 43:10	differs 24:9 direct 34:4 63:25 directly 27:5 disconnect 44:6 discovery 66:14 discussing 12:8 dispute 13:19,20 35:2 55:6 57:6,8 64:23 70:19 disputes 14:4 29:25 distasteful 42:22 DISTRICT 1:1,2 document 25:25 33:8 46:7 47:2 49:7,20 73:11 documents 27:20 49:11 66:12 doing 5:23 9:19 15:18 38:4,5 40:13 51:17 61:6 69:3 domain 8:24 9:6,12 10:22 12:7,13 15:4,5,13 17:20 18:7,13 20:24 22:20 23:4 28:4,5 29:20 30:10,16,18 31:19 32:9,14,19,22,23,25 33:3,4 35:2,5,24 38:23 39:11,13 41:4 46:11,21 47:8 47:10,12,21 48:13,16 49:13 50:2,4,8,25 52:21 53:10 54:2,15 55:16 58:15,19 59:11,14,16,22,25 60:4 62:3 62:13 65:8,13 67:20,24 68:15,16,17 domains 10:20 41:16 50:2 58:24 DomainTools 73:11 domestic 15:8 Donald 1:7 7:24,24,25 8:2,7 9:21 10:5,9 18:16 21:9 27:19 32:6,17,18 34:25 35:21 36:10 37:15,20 38:14 38:22,24 47:16 48:7 50:6 52:7 53:12 55:15 57:4,15,21 59:12 65:18,21 66:3,19,21 dozens 16:25,25,25 31:20 69:17 dry 28:20 Dubai 15:20 due 61:24 duly 4:4 74:11	10:1 11:1 12:1 13:1 14:1 15:1 16:1 17:1 18:1 19:1 20:1 21:1 22:1 23:1 24:1 25:1 26:1 27:1 28:1 29:1 30:1 31:1 32:1 33:1 34:1 35:1 36:1 37:1 38:1 39:1 40:1 41:1 42:1 43:1 44:1 45:1 46:1 47:1 48:1 49:1 50:1 51:1 52:1 53:1 54:1 55:1 56:1 57:1 58:1 59:1 60:1 61:1 62:1 63:1 64:1 65:1 66:1 67:1 68:1 69:1 70:1 71:1 72:1 73:1,7,13,17 73:17,21,21 74:1,1 earlier 58:5 69:2 71:10 easily 36:4,5,7,17 East 1:10 EASTERN 1:2 Easy 2:13 economic 27:13 economy 27:15 effect 3:8 effectively 59:2 efficiently 61:22 either 37:24 47:2 69:12 elaborate 20:5 43:19 54:8 66:2 electronic 34:24 employees 28:18 36:19 37:7 37:24 55:22 63:25 encircled 34:23 Enclosed 34:24 encompass 24:21 29:4 encompasses 24:24 enforce 38:2,2 engaged 40:22 English 21:8,11,13 22:7,8,16 ensure 27:4 enter 59:20 entering 18:23 Enterprise 16:12 Entertainment 51:24 52:13 52:24 53:2 entities 36:8 entitles 40:8,9,18,23 entity 38:6 entries 49:5 entrusts 55:17 entry 21:8,11 73:9
---	--	---

E

E 2:1,1 4:1 5:1 6:1 7:1 8:1 9:1

Eric 1:16 4:2,12 26:21 36:4
36:12,17 57:22 72:7
Esq 2:8,18
establish 21:25 48:12
established 41:25 58:4
estate 17:17 19:5,6 26:10,14
27:10
ET.com 51:24
everybody 11:8
exact 20:25 51:13 62:17
63:17 64:18
exactly 17:19 31:8 61:9 62:9
examination 1:15 4:7 72:4
73:3 74:10,12
examined 4:5
example 15:16 16:2 17:23,24
17:25 18:2,3,4,4 67:16
examples 17:22
executive 24:6,15 26:7 28:23
66:4
executives 68:7 69:25
exhibit 25:10,14,16,19 26:2
33:6,9,15,22,22,23 45:19
46:8 49:3,16
exhibits 45:23,24
existence 17:4
expanding 16:12
expansion 26:24
expect 60:2
explain 58:15 71:17
exploring 23:14
extensively 70:7,8
extent 30:6 39:18
external 4:23
extort 51:9
e-mail 33:18 34:21 35:8,13
35:20 36:3,14 37:22 73:10

F

F 1:16 4:1,2 5:1 6:1 7:1 8:1
9:1 10:1 11:1 12:1 13:1
14:1 15:1 16:1 17:1 18:1
19:1 20:1 21:1 22:1 23:1
24:1 25:1 26:1 27:1 28:1
29:1 30:1 31:1 32:1 33:1
34:1 35:1 36:1 37:1 38:1
39:1 40:1 41:1 42:1 43:1
44:1 45:1 46:1 47:1 48:1
49:1 50:1 51:1 52:1 53:1

54:1 55:1 56:1 57:1 58:1
59:1 60:1 61:1 62:1 63:1
64:1 65:1 66:1 67:1 68:1
69:1 70:1 71:1 72:1,7 73:17
73:21 74:1
Fabulous 27:20
face 51:2
faces 56:23
fact 31:2 59:15,23 67:8 68:3
69:20
fairness 44:3
family 17:14 36:10 37:4 58:2
58:9 68:6
far 23:16
far-fetched 52:3
father 17:11 26:23 31:24
37:3 42:21 44:19 56:10,16
56:21 65:18 66:19
father's 36:19 37:8 38:5,7
featured 27:19 28:19
feel 53:21 59:8 62:5,11
Fifth 2:21
fight 14:4,25 31:16
fighting 31:7
file 60:14 61:3
filed 57:19
filing 3:3 33:2 59:2
filings 40:11
filming 17:7
find 34:24 46:21 67:10
fine 7:13 30:12 39:23 43:5
60:21
finish 56:19
finished 17:7
firm 24:16 34:19
firms 37:25
first 4:3 7:17 28:20 47:14,15
49:8 59:23 71:19
fixture 27:8
Florida 27:7
following 75:4,5
follows 4:6
force 3:7
forced 14:4
foremost 28:20
form 3:11 8:5,18 9:4,25
13:11,25 19:8,25 21:16
32:11 36:2 60:16 66:23
forth 37:10 38:22 40:16

47:19 66:17 74:11
Fortunately 30:23
fought 31:13
found 25:9 59:5
foundation 21:25 35:11
41:18 58:18 61:17
founding 21:10
four 13:15 23:4,10 39:12
FOX 27:12,12
frame 38:16
frankly 30:19 50:24 64:13
68:11 71:20
free 54:6,9,14,22 71:12,16,22
freedom 54:12
freely 36:20 37:7
front 64:11
Fross 2:3 56:4 70:21
full 11:10 38:7,8,9 57:25 58:7
functions 26:13 28:25
furnished 3:15
further 3:10,13 74:14

G

G 73:22
Gap 22:7
General 2:19
generally 19:17 24:18
generic 21:8,13,19,22
geographical 18:14 20:17
getting 11:9
give 12:4 15:15 17:22 39:10
57:6,22 62:11
given 20:15 37:20 43:2 57:15
74:13
gives 68:17
global 27:14
go 5:9 15:10 16:5,21 21:4
28:16 47:8 49:24 50:10,15
50:19,24 51:7,8 52:7,18,25
53:4 61:3
goes 26:6
going 5:10,12 6:10 16:5 17:6
21:24 35:9,20 39:9 40:5
41:2 45:10 46:25 49:23
51:3 59:4 66:6
golf 16:12 17:25 18:3 24:11
26:25 27:6,20,22
good 30:24 61:6
granted 37:15

<p>great 17:23,24 grossly 40:7 grown 14:9,10 18:10,10 guess 7:17 22:15 28:3 33:6 35:18 44:25 45:18 54:4 70:25 guru 13:2</p> <hr/> <p style="text-align: center;">H</p> <hr/> <p>H 73:7 hand 20:18 74:20 handle 24:7 29:5,11 56:11 58:19,23 61:20,22,22,23 63:2 68:2 handled 29:15 31:19 handles 10:6 handling 24:24 28:5 29:9,17 29:20 62:22 hands 66:6 handwriting 33:24 happen 59:19 67:20,21 happened 61:9 68:2 happily 39:16 happy 64:9 harassing 8:15 Hawaii 18:2 head 39:5 62:8 hear 28:21 held 1:18 helpful 25:18 hereinbefore 74:11 hereunto 74:19 higher 23:4 high-rise 19:17 high-rises 69:11 hold 14:17 25:12 33:14 51:10 holiday 40:17 host 40:18 hotel 19:12,22 28:15 Huh 23:21 humor 44:22 45:3 hundreds 31:13,14 64:10,17 hurting 53:6 hurts 64:3 H.R 28:11</p> <hr/> <p style="text-align: center;">I</p> <hr/> <p>ICANN's 35:2 idea 48:4 62:16 65:10,16</p>	<p>identification 26:3 33:10 46:9 identify 29:25 illustrating 52:23 imagine 44:22 imitate 44:23 45:3 implying 56:9 improper 5:13,15 inappropriate 63:9 include 49:12 71:25 includes 49:13 including 56:3,3,4 incredible 17:5 Incredibly 27:25 India 16:2,3 18:15 21:2 38:14 38:21,25 39:8,10,12 40:17 40:20,21 51:19 59:13 66:7 67:12,23 individual 32:6,16 35:21 55:15 57:4 inferring 56:8 inflammatory 42:16 71:21 information 11:19 informed 63:13 infringe 14:7,23 25:5 58:10 63:10 infringement 10:7,15 28:10 29:13 30:11 58:21 59:6,7 infringing 61:2 63:7 initial 58:14 60:10 61:13 instance 20:18 instruct 8:14 30:5 instructed 9:22 10:9 instructing 9:10 intellectual 23:14 40:10 50:14 51:16 52:16 56:5 58:10,20 61:8,20 65:4 67:5 intend 48:15 intention 5:22 intentionally 6:16 intentions 50:5 interest 17:14 24:19 50:18 51:6 interested 52:21 74:17 interesting 67:11 interests 15:9 16:11,22 69:6 interject 26:17 56:16 international 15:7 20:16 21:5 27:10</p>	<p>internationally 26:11 Internet 10:20,24 11:17,18 11:19,24 25:9 46:21 interpreted 11:20 51:24 52:20 interruption 41:8 intimately 70:18 involved 19:15 26:9 27:2 30:17 63:14 64:20 70:18 issue 22:20 issues 55:18 62:8 64:10</p> <hr/> <p style="text-align: center;">J</p> <hr/> <p>J 1:4,7 2:11 4:9 27:19 34:25 35:21 36:11 37:15,20 52:7 57:21 JAMES 2:8 Jersey 27:6 job 9:19 24:3,8,20 25:2 27:24 28:4,13,24,24 29:10 58:3,3 61:6 Jr 7:24 8:2,7 38:14,24 59:13 65:21 66:4,21 judge 5:9,17 27:17 jurat 71:25</p> <hr/> <p style="text-align: center;">K</p> <hr/> <p>K 73:21 keep 6:21 7:3,5 25:4 kind 7:18 56:11 60:22 KINGS 74:4 75:2 Kluge 26:19 knew 55:13 56:16,21 know 8:10,19 9:18 10:20,23 11:15,16,24 13:2,5,8,13,19 14:2,8 17:10 25:21 28:17 31:9,10 34:2 39:4 41:20 42:23 43:12,17 44:16 45:10 46:19 54:5 55:14,15,23 57:14,17 61:18 62:7,18 64:4 65:7 66:25 71:21 knowing 13:22 knowledge 22:2 knows 47:2 55:19,21 56:2 Korea 16:18 K-L-U-G-E 26:19</p> <hr/> <p style="text-align: center;">L</p> <hr/> <p>L 2:18 73:22</p>
---	--	---

land 18:18 lands 18:21,22 language 11:25 22:7,8 languages 17:2 69:18 large 16:10 18:24,24 19:10 31:5 largest 15:21 Las 17:23 launch 59:21 launched 15:24 law 34:18 37:25 lawsuit 4:22 6:4 lawyer 10:11 21:19 34:18 lawyers 36:18 63:25 legal 8:15,20 13:19,20 21:19 24:21,24 37:9 38:11 39:18 39:19,20 55:5 57:5,8 62:22 63:3 64:2,23 66:17,20 70:19 legally 21:22 40:2 43:3 LEHRMAN 2:3 letter 8:22 9:9,10,20,23 10:5 10:8 34:12 letters 8:15,20 37:9 let's 11:10 level 30:12 license 15:23 LINE 75:7 linguistic 44:5 list 49:2 listed 48:25 lists 46:14 47:18 49:16,17 literally 16:25 69:17 litigation 4:11 5:8 10:13 24:22 28:9 29:9 56:8,11,14 56:22 58:13 65:3 litigations 36:20 56:17 Live 44:18 LLC 26:22 locator 20:17,23 locations 68:15 69:5 long 7:8 31:16 longest 17:4 look 33:15,20 looked 16:6,8 71:13,16,18 looking 16:9 lost 31:2 lot 10:14,17 28:14 30:23 41:23 47:25 L.A 18:3	<hr/> M <hr/> M 73:21 major 15:7,8,19,23 16:4,6,22 18:12,12 23:12 31:4,4 69:11 making 4:17 7:2 38:21 management 13:5 Manufacturing 26:22 mark 22:15 25:13 marked 25:25 33:8 46:7 market 59:18,20 marketing 26:12 27:3 markets 23:12 marriage 74:16 Martin 34:18 57:24 73:10 master 19:16 materials 52:5,23 matter 13:23 30:11 36:13 62:23 63:6 74:18 matters 27:14 28:11 29:14,17 38:3,11 61:20 63:3 66:5,6 mean 5:15 28:15 meaning 4:24 6:4,14 21:20 21:21 means 10:23 13:3 41:20 42:24 54:6 57:14,17 61:7 media 27:11 70:8,9 meetings 62:8 membership 27:3 memory 7:2 41:8 mention 29:19 30:16,22 31:12 mentioned 6:22 35:22 66:2 69:2 70:14 mentioning 21:11 merits 14:11,21 Merriam 21:12 met 27:4 mobile 13:14 mock 42:20 mocking 45:15 modified 35:3 moment 59:12 money 14:7 53:8 month 62:6,17 63:18 64:4,6,6 64:18 monthly 63:4 months 60:10,13 61:13 moves 15:15	Mumbai 16:4 18:15 20:19,19 20:21,23 21:3 51:18 municipal 18:18,20,22 19:6
	<hr/> N <hr/> N 2:1 73:1,13,17,21,22 name 4:9 9:16 14:6,9 20:22 24:18 25:3,5 29:20 30:9,9 30:10,17 31:12,19 35:2 36:19,20 37:8,9,9,15,20 38:4,5,7,8 42:11,15 48:10 50:17,17 51:5,7,12,14,15 52:12,21 57:5,7,16,24 58:2 58:8,8,9,20 60:4 63:9 64:3 67:24 names 8:24 9:6,12 10:22 12:8 12:13 15:5,6,13 17:21 18:7 18:14,14 22:21 23:4 28:4,5 30:18 32:9,14,19,22,24,25 33:3,4 35:5,24 38:23 39:11 39:13 41:5 46:11,21 47:8,11 47:12,21 48:13,16,20,24 49:13,17 50:2,3,4,8,16,25 53:11 54:2,16 55:16 58:15 59:12,14,16,22,25 62:3,13 65:8,13 67:20 68:15,16,18 National 17:24 18:3 26:25 nationally 26:10 NBC 27:12 necessarily 40:18 need 6:24 12:5 22:23 53:5 needed 5:17 63:5 net 47:18 new 1:2,10,21 2:6,6,14,22,22 4:5 24:16 27:6,6,12 29:2 35:4 51:20 74:3,8 75:1 newspaper 59:17 nice 16:5 night 44:18 56:25 Nikeel 15:20 non-lawyer 43:5 normally 61:4,5 Notary 1:20 4:4 72:13 74:7 note 21:17 33:21 46:17 49:18 November 1:12 74:20	
	<hr/> O <hr/> O 73:17,17,17,21,21 oath 3:7 67:8	

object 12:4 39:15 48:18 60:16 objection 8:4,17 9:3,24 11:21 13:10,24 19:7,24 21:15 22:22 23:6 29:6 31:21 32:10 34:14 35:10,25 36:22 37:17 38:15 41:17,24 43:2 43:13 48:6 50:9 51:25 52:9 53:13 54:17 57:11 58:17 60:15 61:16 62:24 64:24 65:9,15,22 66:22 68:19 objections 3:11 obvious 28:19 obviously 14:24 55:13 59:3 61:7 63:12 October 8:16,22 60:11 61:14 officer 3:6 official 10:10 oftentimes 19:10 okay 10:19 11:14 17:16 18:13 22:3,18 25:8,23 27:23 31:18 35:18 38:13 39:6 40:3 41:2 45:17 46:4 49:23 55:14 57:3 58:12 68:13 70:17,25 old 7:17 older 8:3,8 65:20,23 66:21 ones 17:20 30:22 31:9,11 51:8,11,21 54:5 64:12 ongoing 70:12 operation 39:19,20 operations 27:3 operative 21:23 40:2 43:3 opinion 60:6 opposition 45:23 order 5:18 15:22 organization 2:20 10:12 18:17 21:10 24:5 27:22 31:23 32:7,20 35:22 36:6,9 36:12 37:2 38:10 50:6 52:6 53:12 57:21 66:8 67:6 68:8 70:2,23 Organization's 37:8 ourself 53:9 outcome 74:17 outlets 27:11 outside 37:23 overall 19:16 42:22 55:5 oversaw 26:18 overseas 17:10	oversees 27:5 oversight 28:8 owned 20:7 51:15 owns 32:24 Oxford 21:11 O-D-Y 44:12 <hr/> P <hr/> P 2:1,1 73:17 page 4:16 26:6 49:8,10 71:24 73:3,8,18 75:7 Pageant 16:19 pages 47:14 PAGE/LINE 73:14,23 parity 43:21 44:3,7,8 parks 19:4 parody 13:8 42:23 43:3,12,17 43:24,24 44:2,7,9,14,16 45:2,14 52:6 54:13,22 71:12 part 25:2,4,16 26:6 28:13,23 45:22,23 58:3,3 69:14 partially 17:16 parties 3:3 74:15 partnered 15:20 partnerships 18:19 party 15:4 39:10 58:13 60:8 60:9 Pennsylvania 27:7 people 14:5 17:10 18:9 25:4 28:21,22 31:2 41:22 56:2 58:9 63:2 64:15 permission 37:14,19 38:7,8,9 57:4,7,16,23,25 58:7 permutation 60:3 person 17:13 65:2 personality 5:24 31:4 44:23 66:8 pertain 50:23 pertains 71:22 phonetic 15:21 picture 66:12,15 pivotal 26:13 place 1:19 51:17 70:13,15 places 20:15 40:15 69:4,13 plaintiff 1:5,18 2:12 4:10 8:16,23 33:25 46:17 plaintiff's 26:2 33:9 46:8 71:11 73:8 plan 19:16	planning 53:11 plans 15:3,5 17:17 38:21 50:7 53:19 plays 26:13 Plaza 1:10 2:5 please 34:24 point 22:15 35:8 51:3 policy 35:3 political 54:6,9,14,22 popularity 41:3,15,22 portfolio 26:25 post 4:24 6:5,10 27:13 potentially 59:17 powers 6:12,19 7:5,12 predates 21:9 preemptively 59:16 prefer 30:22 31:12 preference 23:3 prepare 7:21 Present 2:17 president 17:12 24:6 26:7 66:5 press 59:17 pretty 27:23 42:22 52:3 prevent 18:8 previous 29:19 30:16 previously 12:17 35:23 47:20 print 47:13 printed 59:25 prior 33:23 priority 23:4,8,11,18 private 31:25 32:2,3,4 pro 2:12 4:10 8:15,23 33:25 46:17 probably 11:7 15:21 28:12 53:5 64:19 proceed 7:14 process 21:5 66:14 project 15:25 16:5 19:15 20:17,19,24 projects 16:7,8,15,17 17:17 17:21 18:24,25 19:9,23 24:8 24:17 26:14 68:10 69:4 prominent 27:8 30:25 prominently 27:18 promoted 66:3 promoting 66:8,9 proper 46:12 properties 26:25 27:6
---	--	---

property 23:15 40:10 50:14
51:16 52:17 56:5 58:10,20
61:8,20 65:5 67:6
protect 56:5 58:2 65:20,23
66:21
protected 9:17
protecting 38:11
protocol 10:21 11:17,18
protocols 10:24 11:3,5
public 1:21 4:4 17:13,14
31:25 72:13 74:7
publicized 16:24
published 16:15
pulled 42:21
purpose 4:21 5:13
purposes 5:8 6:3 52:22
pursuant 35:2
put 28:7 42:20
P-A-R-O-D-Y 13:9 44:7,13
P-A-R-O-T-Y 44:11
P.C 2:3
p.m 1:12 72:3

Q

qualified 55:22 56:2
quantify 53:15,20
queries 47:15 49:25
query 47:16 49:12
question 7:17 8:5,18 9:4,25
11:22 12:12,17,18,21,23
13:15 14:19,21 20:11 21:16
23:23 29:24 30:6 32:11
33:21 35:18,19 36:2 39:19
40:6 41:13 43:9,15 45:6,8
48:19 50:3 52:15 53:24
55:25 57:12 60:16,18,23
61:12 64:8 69:14
QUESTIONING 73:23
questions 4:12 66:23 71:2,4
71:11 72:2
quietly 59:20
quite 15:16 30:19 50:24
64:13 68:11 71:20

R

R 2:1 73:13,17,17,17,21,21
73:22 74:1
rate 14:15
ratings 17:6 42:18,19

read 12:20,23 23:24 25:11
26:5 34:4,13,22 68:22
reading 25:22
real 17:17 19:5,6 26:9,14
27:10
reality 17:4
realize 65:13
realized 65:12
really 16:21 28:16 37:4,13
63:5 69:14
reason 20:25 21:2,4 25:7
60:21 75:9,12,15,18,21,24
reasons 28:20 75:5
recall 35:16,17 71:13
recess 71:6
recognize 31:3
record 5:11 8:12 11:12 21:18
25:15 26:5 30:24 43:6
49:18 67:7 68:21 74:12
recording 4:17,23 6:2,25
refer 25:19 67:12
referred 12:22
referring 8:20 11:16 26:18
61:19
regardless 52:17
register 18:8 20:25 21:2
59:11,14,22 60:3
registered 17:20 18:6 40:14
46:14 47:20,21 65:8,14
registering 59:16
registration 58:14
regular 62:8 70:3
related 52:23 74:15
relates 65:4
relationship 7:23 16:3
relevance 51:4
relevant 50:12,13,22
remember 41:13 64:5
remotely 50:22
repeat 41:14
rephrase 43:9,14
report 63:4
reporter 1:20 11:9 12:19,24
25:14 68:21
representative 1:16
representing 37:12 66:7
requires 30:7
reserved 3:12
residential 19:12

resolution 35:3
resolving 38:3
respective 3:2
response 71:10
responsibilities 28:24
responsibility 9:15 62:22
63:6
responsible 24:16 26:24
64:21 65:2 67:5,23
rest 68:5
resulting 26:21
Retail 28:14
retain 37:25
reveal 30:3,7
re-ask 12:18
right 5:3,4,6,20 17:5 18:5
19:2,6,23 22:3,13 34:6,17
35:15 38:12 43:23 45:13
47:17 48:12 54:9 59:12
62:10 66:13
rightfully 63:11
rights 38:22 39:11,12,20 40:3
40:9,9,24 61:3 68:17
Robinson 2:18 8:10 9:22
34:13 57:24 70:20
role 10:10,11 24:4,13,22,23
26:13
rules 35:3,4
running 13:6 17:4,11

S

s 2:1 38:24 73:7,13,13,17,17
73:21,21
safeguard 25:3
safeguarding 24:18
sake 32:5 34:11 41:6
sales 26:12 28:14,15
satisfied 7:7,9
Saturday 44:18
saw 42:9,10,14 63:7
saying 7:10 11:14 31:18 40:8
56:10 67:3
says 32:16 49:4,8,14,20,21
scapegoat 65:19 66:20
Scotland 17:25
se 2:12 4:10 8:15,23 46:18
sealing 3:3
season 17:6 27:19
second 11:7 14:18 17:3 25:13

33:15 49:10,10 64:3 67:10 secure 7:5 see 5:9 14:12 32:5 33:13 34:16 35:12 38:13 42:8 47:17,25 55:12 seeking 9:6 seen 42:2,4,5 44:18 self 51:6 sell 6:4 selling 6:8 send 8:14 9:22 sent 8:22,25 9:11 10:5,8 33:18 34:12,21 35:9 Seoul 16:18 separate 49:17 series 16:14 service 11:24 set 74:11,20 setting 65:19 66:19 67:9 settlements 31:10 se's 34:2 show 17:4 25:8 33:5 45:17 49:16,23,25 showing 48:5 49:8 shows 16:23 47:11 49:3 Shrestha 1:20 74:7,23 shut 50:20 side 28:7,8 47:18 sides 28:6 signed 3:5,8 significant 18:18 simplifying 40:8 single 56:17 60:3,4 69:19,23 70:13 sir 58:12 site 4:25 6:6,11 13:9 42:10,14 46:13 47:11 49:24 54:24 55:6,9,13 71:13,15,18 sites 10:19,21 11:25 12:6 13:6,13,15 17:15,19 40:11 41:4,15,23 42:2,4 46:14 51:13,14 54:15 situation 29:5,12,19,21 45:2 situations 31:19 66:17 size 60:3 skip 54:5 skirt 48:2 skit 44:20 sleep 56:24	slows 11:8 smartphone 13:14 sold 16:16,16 solve 61:4 64:12 somebody 14:22 36:18 45:3 45:15,15 53:7 57:15 61:2 son 7:25 57:25 65:20 66:21 soon 58:21 59:5 sorry 12:3 34:17 44:4 speak 20:11 speaker 27:9 speaking 39:25 speaks 49:7 specific 9:9 29:25 specifically 10:16,17 15:12 18:8 56:13 57:6 67:11 speech 54:6,9,12,14,22 71:12 71:16,23 spelling 47:13 spent 15:16 39:7 40:20 67:13 67:14,17,18 spoken 69:9,10,11 sporting 202 9:11 sporting202@yahoo.com 8:25 34:12,22 ss 74:3 75:1 stand 13:22 standard 31:6 standards 27:4 start 4:15 5:9 7:15 67:2 started 62:4 64:20 state 1:21 4:5 7:23 35:21 74:3 74:8 75:1 statements 42:16 States 1:1 17:12 stating 66:15 step 63:13 steps 6:21 STIPULATED 3:1,10,13 Street 2:13 structure 22:25 subject 31:10,11 submitted 25:10 66:13 Subscribed 72:10 substance 30:3,7 36:14 substantial 39:8 40:21 successful 22:20 30:21 successfully 16:17 18:11 25:6 50:21	suddenly 66:11,14 suggest 21:25 suit 29:11 summary 30:2 supplemental 35:4 sure 4:15 5:21 9:16 11:9,11 15:14 31:2 39:16 40:7 44:24 55:19 58:12 Survivor 17:5 switched 41:9 sworn 3:6,8 4:4 72:10 74:11 system 13:6
T		
T 73:7,13,17,17,21 74:1,1 tactics 60:9,12,17,25 tagged 25:20 Taikwok 1:4 2:11 4:9 take 6:20 55:17 62:21 63:25 64:13 68:2 71:3 taken 1:18,19 3:9 40:19 68:4 68:4,6,8,14 71:6 talk 22:24 talked 15:17 talking 12:6 25:21 38:12 42:18 43:23 62:9 task 27:16 29:2 team 55:21 56:2,4 62:25 70:21 tech 13:2 technical 41:7 Tel 2:7,23 telephone 60:11 televised 16:19 television 5:25 tell 6:7,16 12:5 18:16 22:18 31:13 32:6 45:11 47:3,4,5 53:10,16 62:2 63:17,24 64:18,19 telling 46:24 ten 13:21 14:15,15 term 21:23 39:20 42:23 43:3 testified 4:6 71:9 testify 39:16 46:25 testifying 6:2 testimony 11:10 68:20 71:14 74:13 thank 46:4 things 28:13 40:19		

think 9:21 11:7 12:5 20:2
25:2,6 27:25 28:22 31:15
40:7 42:19 44:5,6 47:6 52:2
52:15,25 54:23 58:25 59:23
60:4,7 65:18 66:18 68:10
71:9
thought 42:22 71:20
thousand 18:6 28:12
thousands 53:17 54:2
three 58:14 60:10,13 61:13
64:8
time 1:19 3:12 14:5,13 15:17
24:14 38:15 39:8 40:21
49:24 59:5,15,23 64:16
67:13,15,17,19 71:19
times 64:9
TLDs 47:18
today 25:7 55:2,3,7,12 64:11
Todd 34:18 37:23 57:24
told 5:17 48:19,22
tool 46:20
top 16:23 39:4 49:4 62:7
Tower 19:21
towers 19:2
track 30:24
trade 50:15 51:7
trademark 10:6,14 21:3
28:10 29:13,14 30:11
trademarked 22:9
trademarks 14:23 18:6 20:6
20:7 30:19 40:14
transcript 4:21 5:19 25:17,22
transfer 11:19
translated 69:17
travel 70:4,5,6,7
tremendous 67:13,14,17,18
trial 1:15 3:12
tried 58:22
trip 38:18 40:17 68:3
trips 40:20 68:4,5,6,8,14 69:3
true 42:20 74:12
trump 1:7,16 2:20 4:1,2,13
5:1,24 6:1 7:1,24,24,25 8:1
8:2,7,13 9:1,21 10:1,5,9,12
11:1 12:1 13:1 14:1 15:1
16:1 17:1,23,23,24,25 18:1
18:2,2,3,17,17 19:1,21,22
20:1,18,22,25 21:1,3,8,9,10
21:13,18 22:1,6,16 23:1

24:1,4,18,19 25:1,3 26:1,8
26:14,16,21,23,24 27:1,5,5
27:8,16,21,22 28:1 29:1
30:1 31:1,23 32:1,7,7,17,18
32:20 33:1 34:1,25 35:1,21
35:22 36:1,4,6,11,11,12,17
36:25 37:1,8,15,20 38:1,10
38:14,22,24 39:1,15 40:1
41:1 42:1,11,15 43:1 44:1
45:1 46:1 47:1,12,13,16,17
47:22 48:1,10,14 49:1,13
50:1,5,6,6 51:1,15,24 52:1,6
52:7,12,13,23,25 53:1,12,12
54:1 55:1,15 56:1 57:1,4,15
57:21,21,22 58:1,2,9 59:1
59:12,24 60:1 61:1 62:1
63:1,8 64:1 65:1,19,21 66:1
66:4,7,19,21 67:1,6,12,15
68:1 69:1 70:1,22 71:1,5,9
72:1,7 73:4
TrumpAbuDhabi.com 12:11
35:7
TrumpBeijing.com 12:9 35:6
trumpet 47:23 48:2 52:20
53:3,4,5
trumpets 47:24
trumpet.com 48:17 50:8,12
51:23
Trump 48:8
TrumpIndia.com 12:9 35:5
42:7
TrumpMumbai.com 35:6
TrumpMumbiai.com 12:10
Trumps 27:19
Trump's 27:4
Trump.com 18:4
trump/hR 51:3
truth 13:22
try 21:24 44:22 61:4 64:15
69:23
trying 14:6,22 18:9 23:5 25:5
32:8,17,18,21 33:4 35:23
44:25 50:16 51:9,10,12
52:11 53:7 63:8 68:13
Tube 42:21
turned 45:21
TV 17:4
two 28:6 47:14,15 49:16
type 14:12

T-R-U-M-P-H 48:8

U

U 73:17,17,21,22
UAE 15:17,19,22 67:19
UN 2:5
understand 13:20 14:11,21
17:11 24:23 34:5 43:22
45:14 46:23 49:6 64:5
understanding 39:22 43:20
44:2
underway 20:20 24:17
unfortunate 14:13
unfortunately 14:3 31:6,15
41:20 62:19 63:21 64:15
United 1:1 17:12
Universe 16:14,18 69:19,22
69:24
use 4:23 5:7,13,25 17:19
20:14,22 37:7,15,20 38:4,5
38:7,8,9 50:17 53:7 57:5,7
57:16,24 58:7 60:17,25 61:7
63:8
usual 22:19
usually 64:14

V

various 23:15 40:15
Vegas 17:23
ventures 16:13 40:12,13,22
70:6,12
verbal 25:15
verify 4:20 5:18
vice 24:6 26:7 66:4
video 4:16,20,23 5:18 6:2
41:9,10 42:21
vie 69:23
viewed 13:14
Vineyard 26:20
Virginia 26:20
virtually 70:13,14
visit 38:24 39:10 40:8
visited 54:24 55:11 59:13
visiting 38:14,21 39:12 41:22

W

Waikiki 18:2
waited 60:12,12
waived 3:5

want 6:23 11:11 21:17 28:21
 39:21,24 43:5,25 46:16
 49:20 54:10 59:19,20 60:18
 68:22
wanted 4:15 38:10 39:14
 49:18
wasn't 10:2,4
way 11:18 16:6,10 18:24
 25:21 26:17 35:20 43:10
 51:13 52:20 53:15 56:15
 63:9,13 74:17
Web 4:24 6:5,6,11 10:14,19
 10:21 11:25 12:6 13:6,9,13
 13:15 17:15,19 18:7 20:23
 40:11 41:4,15,23 42:2,4,10
 42:14 46:13,14 47:11 49:24
 51:12,14 54:15,24 55:6,8,13
 71:12,15,18
Webster 21:12
WEB-ADVISOR 1:4
weekly 63:4
Weinberger 2:8 4:14 5:5,16
 6:9,14,20,24 7:6,13 8:4,17
 9:3,24 11:6,21 12:3,19
 13:10,24 14:17 19:7,24
 20:10 21:15 22:22 23:6,19
 23:22 25:12 29:6,23 31:21
 32:10 33:14,19 34:5,8,14
 35:10,25 36:22 37:17 38:15
 39:14 41:17,24 42:25 43:13
 44:4,12 45:5,20,25 46:4,16
 46:23 48:6,18,22 49:2,6
 50:9 51:25 52:9 53:13,22
 54:17 56:19 57:11 58:17
 60:15 61:16 62:14,24 63:19
 64:24 65:9,15,22 66:22
 68:19 71:3,8 73:5
well-known 64:14
well-publicized 15:24
went 30:10 55:6,8 67:7,22
we'll 7:15 31:15
we're 4:15 7:13 9:6 12:8 14:4
 15:7 16:5,9 17:3,6 20:15
 25:7,21,22 37:3 38:12 40:12
 40:13 43:22 62:9 64:14
 68:9 70:9
we've 14:9,10 15:14,17 16:6
 16:8,16 18:10,10 20:7 25:5
 30:20 31:2 39:7 40:19,20

68:3 70:11
WHEREOF 74:19
wide 19:5
Wikipedia 25:11 28:7,19
 73:9
willing 5:7
win 64:14
Wine 26:22
Winery 26:19
winning 30:24
WIPO 33:2 59:2
WIPO's 35:4
wish 75:4
witness 4:3 5:22 7:8 8:7,19
 9:5 10:2 12:14,25 14:2,20
 19:9 20:2,14 22:6,23 23:7
 29:7,24 32:12 35:12 36:3,23
 39:22 41:19 43:4,8,14 44:10
 44:14 45:9 46:10,25 47:7
 48:7,19,23 50:11 52:2,10
 53:14,25 54:18 56:21 57:13
 58:19 60:24 61:18 62:16,25
 63:21 64:25 65:10,16,23
 66:25 68:20,25 72:4 73:3
 74:10,13,19
witnesses 3:14
won 30:23 31:14 33:2 59:3
word 21:7,8,13,22 22:6,7,14
 22:16 47:12,22 48:14 50:5
words 46:15,22
work 29:16 31:24 38:2,5
working 68:9
workings 27:21
works 69:12
world 15:10 16:20,23,24
 17:21 20:9 22:11 23:13
 24:19 25:4 26:15 27:20
 69:8 70:15
worldwide 16:19 17:9 31:3
wouldn't 10:8 36:13 53:5
 56:24 62:7,17
wrote 28:2

X

X 1:3,9 73:1,7

Y

Yeah 6:18,24 7:4 20:9 30:13
 34:7 46:3 54:12

year 62:6,18 63:18 64:4,7,19
 69:23
years 14:10 17:2,2,3 20:8
 30:20 40:10,10 58:14
yesterday 17:8
York 1:2,10,21 2:6,6,14,22
 2:22 4:5 27:6,13 51:20 74:3
 74:8 75:1
young 7:18
Yung 1:4 2:11 4:8,9,10 5:2
 5:14 6:7,12,18,22 7:4,12,15
 7:16 8:9,21 9:8 10:3 11:13
 11:23 12:7,15 13:4,12 14:14
 15:2 19:19 20:4 21:6 22:3
 22:12 23:2,9,21 24:2 25:23
 26:4 29:8 30:13,15 31:22
 32:15 33:11,17 34:3,7,10,16
 34:20 35:14 36:16 37:6,18
 38:17 40:4,25 41:6,11,21
 42:3 43:11,16 44:13,15 45:7
 45:12,20,22 46:3,12,20 47:9
 48:11,21,25 49:4,22 51:22
 52:4,19 53:18 54:3,20 57:2
 57:18 59:10 61:11,25 62:20
 63:16,23 65:6,11,17,25
 68:12 70:16 73:4

Z

Zelnick 2:3 56:4 70:21
ZISSU 2:3

1

1 25:19 26:2 33:23 73:9
1:00 1:12
10 53:20
10,000 47:10,14 48:13,20,23
 49:5,19 50:2,2,4 59:24
100 49:9,14,17 53:20
10017 2:6
10022 2:22
11236 2:14
12th 17:6
17th 35:13
18 1:12
18th 74:20
18,000 49:15

2

2 33:6,9,22 73:10

2:06 72:3
2010 8:16 60:11,13 61:14,15
2011 1:12 72:11 74:20
212-715-7255 2:23
212-813-5900 2:7
225 1:10
25 73:9
27 7:19
27th 8:16,22

3

3 45:19 46:8 49:3,16 73:11
33 73:10

4

4,744 49:9
46 73:11

5

500 53:21
556 2:13

6

6 73:4

7

70 26:14
71 73:5
725 2:21

8

800 18:5
866 2:5
88th 2:13

Exhibit B

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

Web-adviso, J. Taikwok Yung

Plaintiff,

- against -

Donald J. Trump,

Defendants.

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CV 11-1413 (DLI) (VVP)

DISCOVERY

Discovery (Questions and Request for Information and Documents)

To whom it may concern,

The Plaintiff is continuing the discovery process as previously stated for (Yung vs. Trump) and would respectfully request the following (additional request and questions to follow in succeeding emails and letters):

Ques. 1: Does the defendant own the mark, "TrumpNation"? and if so, please provide docs to verify?

Ques. 2: What are the methods/metrics used by the defendant in measuring and ascertaining the value of his net-worth? Are the feelings of the defendant involved? And please provide all information in every legal case, business dealings, tax calculations/filings where the defendant's feelings are involved.

Ques. 3: On a related note, what does the following statement mean stated by Donald Trump on valuation of his own net-worth:

"Yes, even my own feelings, as to where the world is, where the world is going, and that can change rapidly from day to day. Then you have a September 11th, and you don't feel so good about yourself and you don't feel so good about the world and you don't feel so good about New York City. Then you

have a year later, and the city is as hot as a pistol. Even months after that it was a different feeling. So yeah, even my own feelings affect my value to myself."

Ques. 4: What does Donald Trump feel about minorities, especially "the Chinese"? Does he feel "the Chinese" are stupid therefore, targets his questionable quality real estate sales to "the Chinese" minorities and have his children to publicly on various media bolster about such questionable sales to "the Chinese"? (It is important to clarify all racist attitude and conniving business acts the defendant have demonstrated since in this case (Yung vs. Trump) a former US Marine and Chinese-American immigrant is the Plaintiff litigant.

Ques. 5: Does Donald Trump hire cronies or use favors of other people to harass and spy on legal opponents? Please provide all truthful information to the court.

Request for docs and depositions:

1. The Plaintiff formally and respectfully request depositions to be made by Donald Trump. (Reason) Since the higher court of New Jersey recently affirm a case dealing and relating with the net-worth matter of Donald Trump. It has become more important in this discovery process to truthfully discover materials dealing with the net worth of Donald Trump and his numerous real estate project claims and why a person other than himself (since this is Yung vs. Donald Trump) can try to claim rights to the at-issue domain names for him if they happen to just travel by Jet or Airplane for vacation. In addition, the defendant have delayed over 3 years to bring his frivolous legal claims, it is very important to provide color and clarity to the matter why the defendant thinks and feels (day-to-day) about his claim to the at issue domains.

2. Please provide documentations relating to all real estate projects from Jan. 1, 2002 to Dec. 31, 2007 (commercial and residential; domestic USA and international) that have internet domain names and also please provide their internet domain name registration information, if any (current and initial registration information).

(Reason) The defendant thinks he has rights to geographical internet domain names of entire cities. Evidence and information needs to be discovered as the extend of ownership of land by the defendant in various places as it relates to the at-issue domains. Whats more to be clarified, does the defendant own the municipality land like the entire city of Beijing or so and therefore the domain name? Clarity must be provided as to the defendant's feelings about geographical domain names of entire cities and what legal theories are used since different countries provide different jurisdictions and laws.


(additional request and questions to follow in succeeding emails and the Plaintiff prefer digital format PDF documents)

Thank you for your time....

Respectfully Submitted,

Dated: Sept. 14, 2011

Brooklyn, NY

By: 
J. Taikwok Yung (sporting202@yahoo.com)

556 E88th St.

Brooklyn, NY 11236

tel: 646.309.8421

Pro Se Plaintiff

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

Web-adviso, J. Taikwok Yung

Plaintiff,

- against -

Donald J. Trump,

Defendants.

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CV 11-1413 (DLI) (VVP)

DISCOVERY

Discovery (Questions and Request for Information and Documents)

To whom it may concern,

The Plaintiff is commencing the discovery process for (Yung vs. Trump) and would respectfully request the following (additional request and questions to follow in succeeding emails):

Ques. 1: What is the relationship between Donald Trump and Donald Trump Jr. and please describe the various roles that Donald Trump Jr. played in the Trump Organization and please provide dates on when Jr. took those positions?

Ques. 2: Where and what places did Donald Trump and Donald Trump Jr. traveled domestically and internationally from 2002 to 2007 (inclusive)? (Please documents to verify)

Ques. 3: Has Donald Trump Jr. during 2007 and before 2007, has ever obtain ownership of any domain names legitimately on behalf of Donald Trump or the Trump Organization in the format trump____.com (hypothetically like TrumpStarTrek.com) for any reason or just because he or Donald Trump flew over on an airplane or jet? (Please documents to verify)

Ques. 4: Why has Donald Trump delayed over 3 years to file/sent harassment legal letters, arbitration claims and frivolous counter claims against the Plaintiff's rightful ownership of the at-issue domains?

Ques. 5: Does Donald Trump understand that the English word "trump" is a generic English word with entries in Merriam-Webster English dictionary and Oxford English dictionary that predates his date of birth and the founding date of the Trump Organization?

Request for docs:

1. Please provide evidence and docs that Donald Trump Jr. is the decision maker in any real estate related deals during 2007 and 5 years prior. In addition, please provide info on travel itinerary from years 2002 to 2007 (5 yrs) as it relates to business deals. Also, please provide info on business transactions that led to a business deal by Donald Trump Jr. from 2002 to 2007.

(Reason): because the defendant stated that Donald Trump Jr. visited India in 2007 and therefore they claim to have rights to the Plaintiff's at-issue domain names, the Plaintiff are seeking docs and evidence to proof Donald Trump Jr.'s role in the company is actually as characterized by the defendant's submitted docs to the court.

2. Please provide evidence and docs that verifies the net worth of the defendant Donald Trump.

(Reason): because the defendant claims to have commenced multi-billion dollar real estate development in India, the Plaintiff request documents to verify that defendant is actually capable of financing such projects and not be someone utilizing a "marketed personality" as a billionaire to make frivolous claims to large projects here and there. In addition, it has been studied by legitimate sources and upheld by previous court cases that Donald Trump might not be a true billionaire as he market his personality to be, so it becomes important to verify Donald Trump's net worth truthfully to the court as to his ability to really finance multi-billion dollar real estate projects in India or anywhere then just making a frivolous statements and claims about it.

(additional request and questions to follow in succeeding emails and the Plaintiff prefer digital format PDF documents)

Thank you for your time....

Respectfully Submitted,

Dated: Sept. 30, 2011

Brooklyn, NY

By: 

J. Taikwok Yung (signed))

556 E88th St.

Brooklyn, NY 11236

tel: 646.309.8421

Pro Se Plaintiff